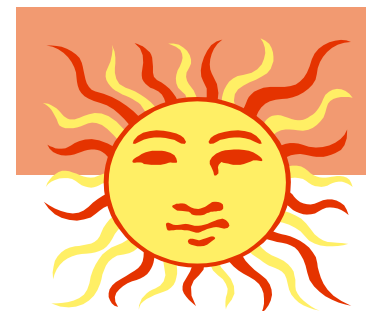




**U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES  
Administration for Children and Families**



# **New Mexico**

## **Child and Family Services Review**

**FINAL REPORT  
April 2002**

**U.S. Department of Health and Human Services  
Administration for Children and Families  
West-Central Hub, Dallas Office**

## **EXECUTIVE SUMMARY**

### **New Mexico Child and Family Services Review Final Report**

The Child and Family Services Review (CFSR) is the essential vehicle for the U.S. Department of Health and Human Services' Administration for Children and Families (ACF) to evaluate State efforts and promote child welfare practices that lead to improved outcomes for families.

New Mexico was the fourteenth State to participate in a Child and Family Services Review (CFSR). This review was conducted in accordance with section 1123(A) of the Social Security Act and sections 1355.31 through 1355.37 of Title 45 of the Code of Federal Regulations (CFR). A list of commonly used acronyms is included (see Attachment B) at the end of this report.

The CFSR was completed as a partnership between ACF and the New Mexico Children, Youth and Families Department (NM CYFD). The CFSR is made up of two major phases. The first phase of the CFSR is the Statewide Assessment (SWA). The SWA consisted of a self-evaluation of New Mexico's services to families and children and an analysis of the NM State data profile. The profile was derived from data for Federal Fiscal Year (FFY) 1999 contained in the Adoption and Foster Care Analysis and Reporting System (AFCARS) and for Calendar Year 1999 from the National Child Abuse and Neglect Data System (NCANDS). The profile highlighted key performance indicators related to safety and permanency for children entering the child welfare system. From this profile, New Mexico developed a Statewide Assessment (SWA) Team, which evaluated and then described the process, procedures and policies of its child protective services, including foster care and adoption in a candid and comprehensive report. The NM SWA was submitted in March 2001. It focused on the outcomes and systemic factors that enable the State to carry out child welfare services.

The second phase of the CFSR involved an on-site review, conducted in three counties across the State during the week of August 27 - 31, 2001. The purpose of the on-site review was to assess the quality of services and outcomes to children and families served by the NM CYFD. This was accomplished by an intensive examination of 50 cases, drawn at random, representing children who were served by the system during the period under review (April 1, 2000 through May 13, 2001). The 50 cases were divided between 29 foster care and 21 protective service (in-home) cases.

The following three sites were selected for the on-site portion of the NM CFS Review:

1. Bernalillo County is the largest metropolitan area in the State. Bernalillo County includes the city of Albuquerque, it is the population center of New Mexico and it has the largest number of cases of children in custody.
2. San Juan County was selected because it has a large Native American population and, therefore, tribal relationships are paramount. San Juan County has experienced above average staff vacancy rates and also experiences a high number of emergency placements. Farmington is in San Juan County.
3. Dona Ana County, the third site, has a lower than average staff vacancy rate, a significant number of families who only speak Spanish, a lower than average rate of pending investigations and the availability of some unique resources. The City of Las Cruces is in Dona Ana County.

A team of fifty-eight (58) Federal, State and community reviewers and team leaders made up the NM CFS Review Team (See Attachment A). The review team rated cases in relationship to the three goals of safety, permanency and well-being. The ratings were derived from documentation in the case records as well as from interviews with those involved with the cases, including: parents, caseworkers, foster parents, service providers and, when appropriate, the children themselves. A detailed description of the findings is included in the attached Summary of Findings.

Individual and group interviews were also conducted with more than 100 selected stakeholders who have the knowledge and experience to describe and assess child and family services in New Mexico. The stakeholders included foster parents, judges, attorneys, defense attorneys, caseworkers and their supervisors, guardian ad litem, police, and advocacy group representatives. The primary purpose of these interviews was to independently assess the quality and effectiveness of the outcomes and systemic factors of the NM child welfare system.

Four sources of information go into the determination of substantial conformity. These include: the statewide assessment (SWA), the 50 case reviews, the stakeholder interviews and a State's level of conformity with the national standards on statewide aggregate data as indicated on the state data profile. Two sets of information are used to determine substantial conformity on each of the seven outcomes: the percentage of cases reviewed in which the outcome was determined to be substantially achieved and the State's performance on the statewide data for which national standards have been established. In order for the State to be determined to be in substantial conformity on any

given outcome, the outcome must be determined to be substantially achieved in 90 percent of the cases reviewed during this first review and 95 percent in subsequent reviews.

The review team found both strengths and areas needing improvement in the NM child welfare system. Of the outcomes and systemic factors evaluated, New Mexico was determined to be in substantial conformity in six of the seven systemic factors and in one of the seven outcomes: the second safety outcome – children are safely maintained in their homes whenever possible and appropriate.

In terms of safety, New Mexico did not meet the national standard for repeat maltreatment (State's percentage – 8.3%, national standard 6.1%). Aggregate data were not available for the data profile regarding the national standard for maltreatment of children in foster care during the review period, because New Mexico law at the time required investigations of allegations of maltreatment in foster care to be investigated by law enforcement. Although aggregate data was not available for the data profile, the State did provide data in their SWA addressing this issue and according to the data provided, the State would not meet the national standard. Strengths were identified regarding New Mexico's statewide centralized intake (SCI) in regard to the consistency of how reports or referrals are received and investigations initiated; however, stakeholders expressed concerns regarding the number of reports being screened out through the process.

In terms of permanency, strengths were identified regarding foster care re-entries and stability of foster care placements. In cases that needed improvement regarding permanency, reviewers identified inconsistent after care services and delays around adoption. The State met three of the four permanency related national standards. (Foster care re-entries: State's percentage 7.2%, national standard 8.6%; length of time to achieve reunification: State's percentage 86.3%, national standard 76.2%; stability of foster care placements: State's percentage 88.7%, national standard 86.7%); however, the State did not meet the national standard for adoption (State's percentage 28.4%, national standard 32.0%).

In terms of well-being, the findings of the review indicate that the State performed better on the second well-being outcome (WB 2), children receive appropriate services to meet their educational need, as compared to the first and third well-being outcomes. WB outcome one is families have enhanced capacity to provide for their children's needs and WB outcome three is children receive adequate services to meet physical and mental health needs. Each of the

items related to the three well-being outcomes are rated as areas needing improvement. Concerns were voiced regarding the impact of worker turnover and staff vacancy rates on the well-being outcomes.

Of the seven systemic factors reviewed, New Mexico was found to be in substantial conformity on six of the systemic factors. These six systemic factors are: Statewide information system, case review system; quality assurance system; training; agency responsiveness to the community; and foster and adoptive parent licensing, recruitment, and retention. New Mexico was found not in substantial conformity for the systemic factor on service array.

The State is operating a statewide information system called the Family Automated Client Tracking System (FACTS). FACTS can readily identify the status, demographic characteristics, location and goals for each child in foster care. While FACTS is capable of capturing information relative to the status of children in foster care, NM's Adoption and Foster Care Reporting System (AFCARS) data submissions for the period under review showed no child records with a date of entry into care prior to 1997. NM is working on correcting this problem, so that the information is accurately reported to AFCARS, the mandatory Federal reporting system. While the issue may be a technical one, it is very important. The accuracy of all the child welfare data, including that reported to AFCARS, is critical to New Mexico as it will be used to evaluate progress in the program improvement plans, to determine the State's success in completing the plan, and in subsequent CFS reviews. Beyond this initial CFS review, we will no longer accept an alternate source of data for the foster care indicators as we did for this review, and will rely on the accuracy of New Mexico's AFCARS data.

While the State has an array of services in place consistent with the requirements of the systemic factor, reviewers rated these as insufficient to meet the level of identified needs. Virtually every stakeholder, both internal and external to the State agency, reported erosion of the service array in recent years. Stakeholders attributed this phenomenon to the transition to managed care. Many of the identified needs, such as dental care, mental health services, domestic violence services, and substance abuse treatment require coordination with stakeholders and others outside the protective services division of NM CYFD. New Mexico is a State with a large rural population and isolation can be a barrier to the provision of certain services in some locations.

## **KEY FINDINGS RELATING TO SAFETY, PERMANENCY AND WELL-BEING**

The description below provides a brief overview of the findings for each outcome and systemic factor.

### **I. SAFETY**

#### **Safety Outcome 1**

##### **Children are, first and foremost, protected from abuse and neglect Not in Substantial Conformity**

Safety Outcome One (S1) evaluates both timeliness of investigations and incidents of repeat maltreatment (abuse or neglect). Across the three sites in NM, a pattern emerged that emergency (Priority 1) cases were frequently handled in accordance with policy, but that the non-emergency (Priority 2) cases were not always handled within the required time period. The national standard for recurrence of maltreatment is 6.1% and New Mexico's statewide aggregate data for this outcome is 8.3%. Therefore, New Mexico does not meet the national standard for recurrence of maltreatment. Although aggregate data was not available for the data profile in regards to the national standard for maltreatment of children in foster care, the data the State provided in their SWA addressing this issue indicates the State would not meet the national standard. During the on-site portion of the review, eighty-six percent (86%) of the cases in NM received a rating of substantially achieved, however 90% is required to be in substantial conformity, therefore safety outcome (S1) was not found to be in substantial conformity.

#### **Safety Outcome 2**

##### **Children are safely maintained in their homes whenever possible and appropriate In Substantial Conformity**

The second safety Outcome (S2) takes into consideration the services provided to families to protect children and to prevent removal/out of home placement and to consider the assessment of the risk of harm to children. Ninety percent (90%) of the cases reviewed in New Mexico were rated as substantially achieved. The review team identified strengths in the way cases move quickly and successfully from the investigation phase to being opened for services,

and in the provision of family preservation services (FPS) to families. Based on these findings, New Mexico was determined to be in substantial conformity on Safety Outcome 2 (S2).

## **II. PERMANENCY**

### **Permanency Outcome 1**

#### **Children have permanency and stability in their living situation Not in Substantial Conformity**

This outcome includes re-entries into foster care, the stability of foster care placements, permanency, independent living services, and adoption. In the SWA New Mexico met the national standards for the number of foster care re-entries, the length of time to achieve reunification, and the stability of foster care placements. Independent living services for youth aging out of care were identified as an area of strength. Another strength identified is the concurrent planning initiative, a program that involves training judges, advocates, foster parents and attorneys in the concurrent planning strategies and includes the re-writing of some procedures. However, New Mexico's latest adoption data indicate that 28.4% of adoptions are finalized with in 24 months. The national standard is 32.0%; therefore NM does not meet the national standard on length of time to achieve adoption. Concerns were voiced regarding the impact of full court dockets in regards to achieving permanency. For Permanency Outcome 1 (P1) 86% of the cases reviewed were rated as being substantially achieved. A score of 90% is needed for conformity, therefore this outcome was determined not to be in substantial conformity.

### **Permanency Outcome 2**

#### **The continuity of family relationships and connections is preserved for children Not in Substantial Conformity**

The second permanency outcome (P2) addresses the extent to which family relationships and connections are preserved for children in foster care. This outcome includes the proximity of foster care placements, placement with siblings, visitation with family, preserving connections, relative placement, and the relationship of the child in care

with his/her parents. Seventy-nine percent (79%) of the cases reviewed were rated as substantially achieved on this outcome, which is below the 90% threshold for substantial conformity. While NM successfully utilizes relatives as placement options for children, maintaining the relationship of the child in care with his/her parents and visiting with parents and siblings in foster care were identified as areas needing improvement.

### **III. CHILD AND FAMILY WELL-BEING**

#### **Well-Being Outcome 1**

##### **Families have enhanced capacity to provide for their children's needs Not in Substantial Conformity**

The first well-being outcome (WB1) evaluates whether families receive services to enhance their capacity to provide for and meet their children's needs. It addresses the needs and services of the child, parents, and foster parents; the involvement of children and families in their case planning; worker visits with each child, and worker visits with the parents. Seventy-four percent (74%) of the NM cases reviewed were rated as substantially achieved and, therefore, New Mexico is not in substantial conformity on outcome WB1.

#### **Well-Being Outcome 2**

##### **Children receive appropriate services to meet their educational needs Not in Substantial Conformity**

The second well-being outcome (WB2) addresses the educational needs of the child(ren). According to the cases reviewed, children's educational needs are being identified and addressed in most cases and even more so in foster-care cases than in protective service (in-home) cases. Reviewers noted workers and foster parents attending school meetings and being involved in educational planning for children. In 83% of the cases reviewed in NM this outcome was rated as being substantially achieved. This is just below the 90% needed to be in conformity, therefore it is determined that New Mexico is not in substantial conformity on this outcome.



**Well-Being Outcome 3**  
**Children receive adequate services to meet their**  
**physical and mental health needs**  
**Not in Substantial Conformity**

The third and final well-being outcome addresses the physical, dental and mental health needs of the child(ren). In most of the cases reviewed in New Mexico medical health records were found in the case files. However improvement is needed around meeting the dental and mental health needs of children. In 72% of the cases reviewed, this outcome was rated as substantially achieved. This falls below the 90% required, therefore this outcome is found not to be in substantial conformity. The review of cases and stakeholder interview indicate that there is a need to strengthen attention to both the physical and mental health needs of children.

**KEY FINDINGS FOR THE SEVEN SYSTEMIC FACTORS**

In the CFS review process seven primary systemic factors are used to evaluate the overall child welfare system in each State. The following determinations were made about the systemic factors in New Mexico.

**IV. STATEWIDE INFORMATION SYSTEM - In Substantial Conformity**

New Mexico CYFD utilizes a comprehensive statewide information system called FACTS that is capable of capturing information relative to the status of children in foster care. FACTS is accessible and used by all CYFD staff and can identify demographics, location, characteristics and goals for every child. However, one area needing improvement is the State's submissions to AFCARS of historical data. For the period under review, no child records in the AFCARS submissions had a date of entry prior to 1997, the year the State converted to FACTS. AFCARS is the required source of data for the CFS reviews in subsequent years, therefore, the State must correct the system's inability to report historically accurate data to AFCARS for future CFS reviews.

## **V. CASE REVIEW SYSTEM - In Substantial Conformity**

The review determined that children have written case plans, which include the required provisions. Court hearings and administrative reviews are held at required intervals. Caseworkers, attorneys, and guardians ad litem were described as experienced and prepared. Although the State's more rigorous time frames for permanency hearings were not always met; the Federal time frames were met. New Mexico is in substantial conformity on this systemic factor.

## **VI. QUALITY ASSURANCE SYSTEM - In Substantial Conformity**

The review determined that the agency has a quality assurance system that assesses the safety and quality of services that are delivered to children in substitute care placement. New Mexico has developed and implemented standards to ensure children are provided with quality services to protect their health and safety. New Mexico adheres to licensing standards and monitors cases. New Mexico CYFD was found to be in substantial conformity on this systemic factor.

## **VII. TRAINING - In Substantial Conformity**

New Mexico offers core and advanced training opportunities for staff. CYFD is collaborating with community partners in terms of providing training. Stakeholders indicated some concerns about the quantity and quality of the training foster parents receive. Follow-up training was not always built into the training structure and a comprehensive training on the Indian Child Welfare Act was not mandatory. Cross-cultural training for foster and adoptive parents that insures that children's cultural needs related to customs, grooming, dietary needs, and religious practices was not always available. New Mexico was found to be in substantial conformity on this systemic factor even though there is a need to update some training curricula.

### **VIII. SERVICE ARRAY - Not in Substantial Conformity**

Although basic services are in place, the findings of the review indicate that the service array is insufficient to meet the identified needs. Stakeholders reported erosion of the service array in recent years. Two of the three performance indicators under this systemic factor were determined to be areas needing improvement. The review determined that New Mexico was not in substantial conformity on this systemic factor.

### **IX. AGENCY RESPONSIVENESS TO THE COMMUNITY- In Substantial Conformity**

NM CYFD has implemented procedures to solicit community responses to child welfare issues, however the review identified the State's process for developing annual reports of progress and services delivered pursuant to the CFSP in consultation with community representatives to be an area in need of improvement. Two of the three performance indicators were determined to be strengths. New Mexico was found to be in substantial conformity on this systemic factor.

### **X. FOSTER AND ADOPTIVE PARENT LICENSING, RECRUITMENT AND RETENTION - In Substantial Conformity**

In New Mexico licensing standards for foster and adoptive homes have been implemented and were applied uniformly in both relative and non-relative homes. The State has maintained standards to assure the health and safety of children who are placed in care by the Department. The State is in compliance with Federal requirements for criminal background clearances. Additionally there are on going efforts to recruit providers to meet the needs of children in substitute care in the State. New Mexico was found to be in substantial conformity on this systemic factor.

**New Mexico  
SUMMARY OF FINDINGS**

**I. SAFETY**

Outcome S1: Children are, first and foremost, protected from abuse and neglect.					
Number of cases reviewed by the team according to degree of outcome achievement:					
	Team 1	Team 2	Team 3	Total Number	Total Percentage
Substantially Achieved:	22	10	11	43	86 %
Partially Achieved:	1	0	1	2	4 %
Not Achieved or Addressed:	3	2	0	5	10 %
Not Applicable:	0	0	0	0	
Conformity of Statewide data indicators with national standards:					
	National Standard	State's Percentage		Meets Standard	Does Not Meet Standard
Repeat maltreatment	6.1 %	8.3 %			X
Maltreatment of children in foster care	.57 %	Data not available for State Profile			X

**Item 1. Timeliness of initiating investigations of reports of child maltreatment**

**\_\_\_\_ Strength    \_\_X\_\_ Area Needing Improvement**

Basis:

Statewide Assessment:

NM CYFD is mandated by the New Mexico Children's Code, to receive and investigate reports of children in need of protection from abuse and/or neglect by their parent, guardian or custodian, as defined in the Code, and to protect these children when necessary. A statewide central intake (SCI) for all abuse and neglect referrals in New Mexico was implemented in 1998. SCI is located in Albuquerque, is staffed 24 hours a day, and is accessed by a toll-free number.

Reports are screened at the central location and screened-in reports are immediately transmitted electronically to the local county office and local law enforcement agencies. Emergency reports are called and faxed to the county office. Priority levels are assigned to each report. The time frame for initiating an investigation or assessment depends on the priority level assigned to the report. Emergency reports should be investigated within three hours, Priority 1 reports within 24 hours, and Priority 2 reports within 5 days. SCI provides increased after-hours access and consistency in screening reports. While not all stakeholders agree that a statewide centralized intake is advantageous, most see it as a way to gain some consistency in screening of reports and increasing accessibility to the agency outside of regular work hours.

The number of investigations assigned and completed has remained stable over the last three years. Several improvement efforts are under way to strengthen and improve the system. The number of pending investigations appears to be higher than it should be, based on the total number of reports. This suggests some at-risk situations may not be being adequately addressed. Several research projects on screened-out reports are being considered. Focus groups meet to review and improve practice. A Triage Group meets to address the phone system and to provide better overall customer service, recent improvements to the phone tree and message include adding Spanish or English as options for the callers. A Professional Reporters Group that meets on an on-going basis and consists of county office staff and professionals around the state was developed to bridge communication between community people and the Department around issues of reporting child abuse and neglect. Timeliness of investigation initiation and completion is often not consistent with policy standards.

Information was provided in the SWA on abuse and neglect in foster homes, but CYFD was not able to submit data on the maltreatment of children in foster care for the State data profile. These allegations were investigated by law enforcement, however in January 2001 NM CYFD created a process to review allegations of abuse in foster homes to assess child safety independently.

#### On-Site Review:

The determination that timeliness to initiating an investigation was an area needing improvement was based on information obtained during the onsite review process through reviews of 38 applicable case records and stakeholder interviews. This item was rated a strength in 82% of the applicable cases. Among the applicable cases reviewed, 21 were cases in which children were in foster care and 17 were cases in which services were being provided while the

child remained in the home. In 95% of the applicable foster care cases this item was rated as a strength as compared to 65% of the applicable in home cases.

**Strengths:** Although this item was rated as an area needing improvement, strengths were noted during the on-site review of cases and stakeholder interviews. For one, New Mexico’s Statewide Centralized Intake (SCI) provides consistency in the way reports or referrals are received and investigations initiated. Since the implementation of SCI, reports are more complete, accurate and easy to track. NM is effective in initiating investigations of reports of child maltreatment in high-risk cases. NM CYFD effectively conducts face-to-face contacts and interviews with children in many cases. The agency was described by stakeholders as being very responsive to high-risk (Emergency and Priority 1) reports of abuse and neglect.

**Areas Needing Improvement:** Across the three sites in New Mexico some of the lower risk Priority 2 reports were not investigated within the 5 day time period. Although reviewers only rated cases during the period under, they noted a number of cases outside the period under review where investigations were not initiated timely. Timeliness of investigations has improved recently due in part to the Statewide Centralized Intake (SCI). However, the number of pending investigations was identified as an area needing attention.

Other concerns identified during the review related to this item include:

- A need to strengthen and document strategies to locate families during the initiation of investigation was present in some of the cases reviewed.
- The findings of the review indicate that the definition of “initiation” of an investigation seemed unclear to some staff.
- Stakeholder interviews identified staff vacancies as a factor negatively impacting the timely initiation of investigations.
- The findings of the review indicate a need to strengthen the timely completion of safety assessment tools.
- Stakeholders expressed serious concerns regarding the number of reports being screened out through the SCI process.

## **Item 2. Repeat maltreatment**

       Strength        X   Area Needing Improvement

Basis:

Statewide Assessment:

In 1999, the period from which data for the review were drawn, New Mexico had a recurrence of maltreatment rate of 8.3%, compared to the national standard of 6.1% or less. The State uses Federal title IV-B, subpart II funds to provide protective services to children in their own homes to prevent recurrence of abuse and neglect. Services may be provided on a voluntary or non-voluntary (court ordered) basis. Voluntary services include family preservation services, voluntary family services, support services, home visitation and resource centers. As components of the family preservation, voluntary family services, and support services a family may receive protective childcare services and referral to additional community-based treatment services.

On-Site Review:

The determination that repeat maltreatment was an area needing improvement was based on the state data pertaining to repeat maltreatment as well as information obtained during the onsite review process through the review of 49 applicable case records and stakeholder interviews. This item was rated a strength in 86% of the applicable cases. Among the applicable cases reviewed, 29 were cases in which children were in foster care and 20 were cases in which services were being provided while the child remained in the home. In 93% of the applicable foster care cases this item was rated as a strength as compared to 75% of the applicable in home cases.

**Strengths:** Although the overall assessment was that this item was an area needing improvement, very few incidents of repeat maltreatment were found during the case reviews. Reviewers rated this as an area of strength in most cases.

**Areas Needing Improvement:** Repeat maltreatment was considered to be an area needing improvement based on the fact that the statewide aggregate data do not meet the national standard for repeat maltreatment and there were seven cases reviewed where repeat maltreatment was identified as a concern during the review period. It is important to note that in some of the cases there were reports of substantiated repeat maltreatment prior to the period under review, although the review team only rated cases during the period under review. In most of the cases the circumstances of the repeat maltreatment were similar, and many involved the same perpetrator. This seems to support the concerns of some stakeholders regarding repeat maltreatment, particularly in the area of neglect. Several

of the cases reviewed had multiple reports prior to a child coming into care. A concern expressed by 2 groups of stakeholders was that the number of similar prior reports may be related to workers being overwhelmed. Family Preservation Services (FPS) are time limited (only six weeks long) and may be too short in some cases (families may need more time) to get to the root cause of the repeat maltreatment. According to stakeholders interviewed, more thorough follow-up services are needed and NM should focus on more in-depth follow through with families referred to mid-level services in order to determine the outcomes of services provided and any future needs. In one of the sites, stakeholders reported that repeat maltreatment reports are "handled informally" and may not be fully documented. Concern was also noted as to whether family preservation was an appropriate service for families with severe substance abuse issues who may need much more time and in-depth services.

**Rating for Safety Outcome 1:** This outcome was determined not to be in substantial conformity as New Mexico's statewide data measure of 8.3% for repeat maltreatment does not meet the national standard of 6.1% or less. Data from the State were not available for the data profile in regards to maltreatment of children in foster care during the review period. 86% of the cases reviewed were rated as substantially achieved for this outcome.

<b>Outcome S2: Children are safely maintained in their homes whenever possible and appropriate.</b>					
<b>Number of cases reviewed by the team according to degree of outcome achievement:</b>					
	Team 1	Team 2	Team 3	Total Number	Total Percentage
Substantially Achieved:	23	10	12	45	90 %
Partially Achieved:	0	1	0	1	2 %
Not Achieved or Addressed:	3	1	0	4	8 %
Not Applicable:	0	0	0	0	

**Item 3. Services to family to protect child(ren) in home and prevent removal**

  X   Strength        Area Needing Improvement

Basis:



Statewide Assessment:

The array of services and community resources available in NM to protect the child in the child's home include: family preservation services; court-ordered removal from the home, if essential for the child's protection; permanency planning services; adoption; and independent living services. Protective Services may be provided for the child in his/her own home to prevent the need for out-of-home placement. Services may be provided on a voluntary or non-voluntary (court ordered) basis. Voluntary services include family preservation services, voluntary family services, support services, home visitation and resource centers. As components of the family preservation, voluntary family services, and support services a family may receive protective childcare services and referral to additional community-based treatment services. The array of placement and treatment services available include: emergency shelter/crisis shelter, emergency foster care, family foster care, relative foster care, treatment foster care, group home, maternity home, boarding school, residential treatment center care, and psychiatric hospitalization. The Department arranges for or provides a variety of services to the family to improve the family situation so that the child can safely return home, independent living services for those children who cannot safely return and for whom adoption/guardianship is not an option, and adoption services. Contracts are maintained with community agencies to provide early intervention, prevention and intervention, and reunification services to families, children and youth. Services include counseling, mid-level family preservation, therapy, community education, parenting education, resource centers, home visitation, youth mentoring, classes for independent living, foster parent and adoptive family recruitment, foster parent support, child specific adoption and foster care home studies and post-legal adoption services. These services are available across the State, but urban areas have more choices and availability of services to prevent removal.

On-Site Review:

The determination that services to the family to protect child(ren) in their homes and prevent removal was a strength was based on information obtained during the onsite review process through the review of 45 applicable case records and stakeholder interviews. This item was rated a strength in 91% of the applicable cases. Among the applicable cases reviewed, 25 were cases in which children were in foster care and 20 were cases in which services were being provided while the child remained in the home. In 96% of the applicable foster care cases this item was rated as a strength as compared to 85% of the applicable in home cases.

**Strengths:** NM CYFD utilizes intensive family preservation services (FPS) and the findings of the review indicate that FPS is initiated quickly. Referrals to FPS are prompt and appropriate in most cases. Stakeholders

indicated that family preservation services are appropriately used for placement prevention. Time-limited reunification services were seen as a major strength and the Structured Decision Making (SDM) tools are helpful for staff to make thorough assessments. Other areas of strength noted were:

- ◆ Effective use of outside agency case management in many of the cases reviewed.
- ◆ Los Pasos, Peanut Butter & Jelly and other programs have resulted in improvements for families regarding safety issues.
- ◆ Workers make efforts to provide families immediate access to services.
- ◆ In most cases, when risk was too high to maintain children in the home, children were appropriately removed.
- ◆ Stakeholders felt that contracted mid-level family preservation services were effective in maintaining children in their home(s) whenever possible.
- ◆ Safety plans were documented in the case records as required.
- ◆ The timely movement of cases from investigation into services.

**Areas Needing Improvement:** Although the services provided to maintain children in their homes was rated as an area of strength for the State, the following areas needing improvement were identified: Stakeholders indicated concerns regarding consistency with respect to accurately matching families with FPS. When FPS is appropriately matched to a family's needs, the outcomes seen were very positive. FPS is a good model for some, but not everyone. There is a need for services to be developed that will meet the needs of families who require a level of intervention not available through FPS. There is a lack of staff to monitor compliance of contract providers. Reviewers stated they felt more long-term follow up by CYFD was needed, however it was noted many times that staff turnover is a problem in provider agencies as well as within CYFD. There was some concern noted around the lack of assessment and identification of critical family needs. It was suggested by stakeholders that CYFD improve the monitoring of families involved with FPS to determine if the services offered were actually implemented and continue to be effective. Reviewers from all three of the sites reported that "less than full assessment", minimal or no monitoring of service contracts and not following through to assure outcomes for families were areas needing improvement. Cases are often referred out to providers with little or no follow-up by PSD. Stakeholders also agreed that NM needs more resources, especially in the area of substance abuse.

**Item 4. Risk of harm to child**

  X   Strength           Area Needing Improvement

Basis:

Statewide Assessment:

New Mexico uses Structured Decision Making (SDM), which includes a safety assessment tool, a risk assessment tool, and a family needs and strengths tool. Structured Decision Making tools are designed to promote consistent decision-making and to standardize intervention decisions and direct treatment planning for families. If a child is assessed to be in immediate risk of serious abuse and/or neglect, staff coordinate with families and, if required, law enforcement and the courts to establish and implement a plan to provide for the child's immediate safety. The Department provides intensive family preservation services to those families at moderate or high risk as determined by the Structured Decision Making service matrix. Through contracts, the Department also provides mid-level family preservation services at select sites to those families at moderate or high risk, but for whom intensive services are not appropriate based upon clinical assessment of the family's needs. The Department also has targeted Supporting Safe and Stable Families funds to contract for home visitation and community-based resource centers. NM is working to strengthen the Multi-disciplinary Review of child fatalities with CYFD involvement. In the 2001 legislative session, New Mexico passed amendments to the Children's Code to bring it into ASFA compliance in addition to the passage of a Safe Haven Act and a Kinship Guardianship Act. The Children's Code changes enumerate timeframes and "compelling reasons" that are ASFA compliant. The Safe Haven bill allows mothers to safely leave or drop off their infants at a hospital without criminal repercussions. The Kinship/Guardianship Act enables a parent to name a guardian for their child in the event that he/she is unable to care for the child. These help CYFD assess and determine the risk of harm to children across the State.

On-Site Review:

The determination that risk of harm to child was a strength was based on the information obtained during the onsite review process through the review of 48 applicable case records and stakeholder interviews. This item was rated a strength in 92% of the applicable cases. Among the applicable cases reviewed, 28 were cases in which children were in foster care and 20 were cases in which services were being provided while the child remained in the home. In 96% of the applicable foster care cases this item was rated as a strength as compared to 85% of the applicable in home cases.

**Strengths:** This item was rated as a strength is that in 92% of the cases reviewed, indicating CYFD is appropriately addressing the risk of harm to children. The SDM tools are used to assess risk and safety and are helpful to support worker judgement and provide consistency. Services that are put into the homes are appropriate to manage risk. In NM law enforcement officials can take children into custody for 48 hours. Most of these “48 hour holds” are handled appropriately and done in consultation with CYFD. Stakeholders noted that the State makes accurate assessments of the risk of harm to children and that they do not just rush to remove children at any sign of concern. The intensity of family interaction with workers during FPS and time-limited reunification services were seen as areas of strength. CYFD is collaborating with the community and serves as an important part of the multi-disciplinary Child Fatality Review Team.

**Areas Needing Improvement:** The findings of the review indicate: due to staff vacancies there may be insufficient staff to monitor families’ compliance with services and more long-term follow-up is needed; there are instances when children are returned home after being removed for a couple of months with few if any services being provided; there are instances when full assessments are not completed and recommendations are not followed. Some Stakeholders indicated that CYFD does not do as well assessing risk of harm in neglect cases as in other cases.

**Rating for Safety Outcome 2:** This outcome was determined to be in substantial conformity due to 90% of the cases reviewed being rated as substantially achieved.

**II. PERMANENCY**

<b>Outcome P1: Children have permanency and stability in their living situations.</b>					
<b>Number of cases reviewed by the team according to degree of outcome achievement:</b>					
	Team 1	Team 2	Team 3	Total Number	Total Percentage
Substantially Achieved:	11	7	7	25	86 %
Partially Achieved:	1	0	3	4	14 %
Not Achieved or Addressed:	0	0	0	0	
Not Applicable:	14	5	2	21	
<b>Conformity of Statewide data indicators with national standards:</b>					
	National Standard	NM's Percentage	Meets Standard	Does Not Meet Standard	
Foster care re-entries	8.6 %	7.2 %	X		
Length of time to achieve reunification	76.2 %	86.3 %	X		
Length of time to achieve adoption	32.0 %	23.4 %		X	
Stability of foster care placements	86.7 %	88.7 %	X		
Length of stay in foster care*	N/A	1.8 months			

\*Not used to determine substantial conformity.

**Item 5. Foster care re-entries**

  X   Strength        Area Needing Improvement

Basis:

Statewide Assessment:

The national standard for foster care re-entries within a 12-month period is 8.6% or less. NM's foster care re-entry rate (within 12 months of a prior FC episode) in Federal fiscal year 99 was 7.2%, which meets the national standard.

In New Mexico, when a subsequent foster care placement is required, there is a provision for a temporary out-of-home placement for a child until he/she can be returned to his/her family or be placed in another permanent setting.

On-Site Review:

The determination that foster care re-entries was a strength was based on statewide aggregate data and information obtained during the onsite review process through the review of 29 applicable case records and stakeholder interviews. This item was rated a strength in 100% of the applicable cases.

**Strengths:** Foster care re-entries was rated as an area of strength, in part, because there were no re-entries in the 29 applicable case records reviewed. Interviews with relevant stakeholders also identified this as an area of strength for the State. NM was under a consent decree focusing on improving permanency for children. The consensus among the reviewers is that the State's performance in this area has improved in the past few years.

**Areas Needing Improvement:** Even though this area was rated a strength, some stakeholders indicated concerns regarding children returned home who re-enter foster care later due to their parent's substance abuse. Concern about substance abuse issues were noted as a common problem across the State, with some services being seen as a “band aid” approach to an immense problem. Also, older children seem to return to the system more than younger children or a family with a previous CPS history may re-enter when a new child is born. Stakeholders report that some re-entries are related to service disruptions when children are reunified.

**Item 6. Stability of foster care placement**

**\_X\_ Strength      \_\_\_ Area Needing Improvement**

Basis:

Statewide Assessment:

Eighty-eight percent of all NM children who have been in care less than 12 months have had no more than two placement settings. The national standard is 86.7% or more. NM attributes some of its success in this area to its recruitment, training, studying, development, and support of foster homes. The Department continues to enhance its relationship with foster care providers and pursues the expansion of the role of the foster parent in reunification efforts

of children with their families.

On-Site Review:

The determination that stability of foster care placements was a strength was based on statewide aggregate data and information obtained through the onsite review process through the review of 29 applicable case records and stakeholder interviews. This item was rated a strength in 86% of the applicable cases.

**Strengths:** The area of stability of foster care placements was rated as a strength for NM based on the State's data meeting the national standard for stability of foster care placements, on stakeholder interviews, and on the cases reviewed. Reviewers noted that workers were making good decisions to find stable placements and only move children when necessary. Stakeholders agreed that NM is concentrating efforts to appropriately match children with families that complement their needs. These appropriate matches lead to more stability for the children. According to stakeholders, foster and adoptive parents in NM are very committed to the children. Most cases reviewed showed workers doing a thorough job looking for and placing children with relatives. The findings of the review indicate that CYFD is successfully using kin-ship care and relative placements to enhance placement stability. Despite the limited number of placement resources, in the cases reviewed caseworkers were making effective placement decisions. Findings of the review indicate that placement workers take their job very seriously and strive to keep the child's best interest in mind. There was evidence of strong committed foster and adoptive parents supporting and helping biological parents, resulting in improved outcomes for NM children.

**Areas Needing Improvement:** Although placement stability was rated as a strength, several needs were identified.

- ◆ Four of the twenty-nine foster care cases were rated as needing improvement.
- ◆ In NM some children are initially being placed in shelters resulting in multiple placements. In some cases shelters were used for transitioning children from one placement to another.
- ◆ The delays in moving children from shelters seem to be due to lack of placement resources. Stakeholders described that in some rural areas availability of placement options are scarce. A concern is that some children, including very small children, remain for extended periods of time (months) in shelters.
- ◆ In some cases reviewed, foster parents were not aware of specific issues regarding children in their care. Stakeholders reported foster parents should be more informed regarding all aspects of a child's individual

needs.

- ◆ Stability of placement is negatively impacted by the lack of placement resources, especially in rural areas.
- ◆ Stakeholders suggested that older children/teenagers experienced too much instability, often because foster parents do not always feel prepared to deal with the complex issues involved in parenting youth.
- ◆ Enhanced foster parent training was requested to improve care for both older and special needs children.

#### **Item 7. Permanency goal for child**

       **Strength**       X    **Area Needing Improvement**

Basis:

##### Statewide Assessment:

NM's data indicate that most children who enter foster care achieve permanency in a timely manner. All children in NM who are in foster care have a written permanency goal. NM's State data indicate that 48% of all children who enter care through the law enforcement "48 hour hold" policy return to their families within 5 days. Of children who remain in care more than 5 days, 86.3% are reunified with their families within 12 months. This meets the national standard of 76.2% or more for length of time to reunification. In Las Cruces a special unit provides intense reunification services to families whose children are likely to go home. The State has implemented a few new initiatives to expedite permanency for children. One initiative is a concurrent planning program that involves training judges, advocates, foster parents and attorneys in the concurrent planning strategies and includes re-writing procedures, these strategies should be implemented by March 2002. In May of 2001 all staff were trained in the use of concurrent planning strategies. NM is developing county specific reports to better understand any regional trends and to improve permanency.

##### On-Site Review:

The determination that permanency goal for child was an area needing improvement was based on information obtained during the onsite review process through the review of 29 applicable case records and stakeholder interviews. This item was rated a strength in 79% of the applicable cases.

**Strengths:** Although this item is rated as an area needing improvement, there is movement toward permanency



for children in NM. In many cases permanency goals were achieved timely and appropriate services were provided. A number of goals were found to be appropriate and many of the important parties (family, worker, etc) are being involved in setting goals and planning. In some of the cases many different options for children were considered and concurrent planning was sometimes implemented.

**Areas Needing Improvement:** In the cases that needed improvement, reviewers primarily identified inconsistent after care services and delays around adoption. In these cases, the services being provided did not appear to be consistent with the written permanency goal in the case record. Reviewers and stakeholders found a lack of available/appropriate resources in rural areas that affected permanency achievement. It appeared that visitation was not taking place in a consistent manner in a few of the cases to support the permanency plan. Updates to written case plans were not always made on a timely basis. Stakeholders indicated concerns regarding full court dockets and long delays with the Interstate Compact on Placement of Children (ICPC) Stakeholders also noted that staff turnover and vacancies are affecting workers' responsiveness and decreasing their ability to help children achieve permanency timely. Delays were noted around financial assistance for adoptive parents. Unnecessary delays in terminating parents rights was also seen as an area needing improvement to help children achieve permanency in a timely manner. Reviewers found that not all parties were involved in developing and working toward the child's most appropriate permanency goal. Goals were not always reviewed for appropriateness regularly and services were not modified to meet the changing needs. These concerns lead to this item being rated as an area needing improvement.

#### **Item 8. Independent living services**

  X   Strength      Area Needing Improvement

Basis:

##### Statewide Assessment:

NM's Independent Living (IL) Services provide independent living skills training and support services to youth aging out of foster care. The IL program provides technical assistance, training on the needs of youth for the agency, clients and the community at large. The NM IL program offers an array of services for clients, including:

- ◆ Education: Assistance in seeking a high school diploma or its equivalent and/or to take part in vocational training,
- ◆ Training: The provision of in-depth training in daily living skills; individual and/or group counseling; the

integration and coordination of services,

- ◆ Outreach: Establishing outreach programs for eligible youth; monitor the quality of written transitional living plans for youth in care; and cultivate and engage the involvement of appropriate adults in the development of the youth's independent living skills.
- ◆ Youth Advisory Board: The independent living program has an active youth advisory board who meet regularly to review policies and procedures and existing service delivery to youth. The Board makes recommendations for improvements and also helps to develop the annual state conference. Board members often present to groups around the state about foster care from the child's perspective.
- ◆ Tribal/Department Independent Living Collaboration: The Department facilitated a one-day conference on independent living issues for tribal representative in Las Vegas, NM. The independent living coordinators also meet with tribal representatives to develop independent living services to tribal youth and review contracts available for service delivery.
- ◆ Housing: The IL program manager is meeting with the Bernalillo County Housing Authority to secure vouchers for foster youth under the Family Unification Program dollars.
- ◆ Teen Court: A Teen court is in place in Otero County (Alamogordo) and Torrance County (Estancia).

### **On-Site Review:**

The determination that independent living services was an area of strength was based on information obtained during the onsite review process through the review of 3 applicable cases and stakeholder interviews. This item was rated as a strength in all three of the applicable cases.

**Strengths:** The area of independent living services was rated as a strength overall for the State based on both stakeholder interviews and case reviews. Although only 3 of the 29 foster care cases were applicable for this item during the period under review, all three were rated as a strength. Using funding from the Chafee Foster Care Independence Program (CFCIP), NM is offering a variety of supports and services to youth transitioning out of foster care. According to stakeholder interviews, NM makes diligent efforts to ensure that most teens live in family-type settings. After the age of 18 many teens in care choose to live on their own. IL services help prepare these teens to live in their community, self-sufficiently. In NM there are regional IL Coordinators and contractors who serve youth across the State.

- ◆ CYFD uses vans to successfully serve youth in both urban and rural areas. According to two of the

stakeholders, CYFD does not make the teens come to them, they go to the youth and that helps increase youth involvement.

- ◆ The IL program serves tribal teens and uses resources in their communities to augment services such as employment and housing.
- ◆ Stakeholders further explained that in NM teens keep their primary social workers and their IL Coordinators assist them in obtaining clothing vouchers, filing petitions, etc.
- ◆ According to a stakeholder, IL Coordinators are “true service providers, not just case managers”.
- ◆ According to most of the Stakeholders, IL services are individualized and youth help develop their own plans based on their goals.

**Areas Needing Improvement:** Although Independent Living (IL) services were seen as a strong area for NM, these concerns were noted:

- ◆ Not all cases include a written independent living plan for teenagers prior to their sixteenth birthday.
- ◆ Stakeholders indicated concerns as to whether all IL plans are modified as teen’s goals change.
- ◆ A concern that workers may not document the special circumstances of all youth in their IL plan.
- ◆ Foster parent training does not include enough information and strategies on how to work with teenagers.
- ◆ A resource concern expressed by stakeholders was the limited number of placement choices for teens, especially in rural areas.

## Item 9. Adoption

\_\_\_\_ Strength      X   Area Needing Improvement

Basis:

### Statewide Assessment:

Adoption services encompass recruitment, development, studies of adoptive homes, and adoptive placement services for children who cannot be safely returned to their families and who have been legally freed for adoption. The New Mexico Adoption Exchange is a quarterly meeting to focus on the needs of children with plans of adoption and specifically those children still needing permanent homes. *FUTURES*, the quarterly publication produced by the Protective Services Division, is an information exchange and photo listing of children in the custody of the state

needing adoptive homes. This project focuses on finding homes for children with disabilities, minority children, large sibling groups and older children. PSD shares this information with the private sector and other regional and national exchanges. PSD also operates a toll-free number to accept foster care and adoption inquiries, coordinates with Adoption Exchange, and works with a local television station for the "Wednesday's Child" feature which highlights children waiting for adoption. The Department has a web page <http://www.cyfd.org> with links to adoption recruitment pages. The Division compiles demographic information on children to enhance and direct recruitment plans and placement strategies.

The State has experienced success with public-private adoption initiatives. For example, New Mexico has contracted with a number of private agencies to recruit, train, study and provide supports to adoptive families. As NM enters the second year, the project has expanded to include providers that will serve families statewide. Another example of public private partnership is the *Foster a Future* Campaign. The unified theme and promotional material has attracted many new families. In addition, the *Heart Gallery*, which began in one county, is now going statewide. A number of well-known photographers donated their time to photograph older children who are free and waiting for adoptive families. The photos were displayed in prominent galleries in Santa Fe and Taos. The community support for this event lead to partnerships. To expedite home studies for adoptive and foster families, New Mexico contracts with licensed social workers to complete the assessments. This initiative of contracting for home studies helps New Mexico continue to find and retain families for children despite staff vacancies. According to the SWA, the original data profile dated 07/25/01 indicated that of the 301 children who were in care for more than 3 years on 1/26/00, 39% had finalized adoption by March 2001.

On-Site Review:

The determination that adoption was an area needing improvement was based on statewide aggregate data and information obtained during the onsite review process through the review of 13 applicable case records and stakeholder interviews. This item was rated a strength in 100% of the applicable cases.

**Strengths:** This item is rated as an area needing improvement because both NM's original Data Profile and the latest data submitted fall below the national standard regarding length of time to achieve adoption. During the on-site review, however, all of the applicable cases were rated as strengths on this item. This discrepancy was brought to the State's attention and NM submitted supplemental data. The new data indicate that 28.4% of the children in NM had

finalized adoptions within 24 months. Although this is an improvement, it is still below the national standard of 32.0% or more. According to the majority of stakeholders, NM does a successful job of utilizing relative adoptions to help children achieve permanency. Diligent efforts of social workers to identify resources and efforts to try to keep siblings together were noted by reviewers and seen as major strengths in New Mexico. According to stakeholders CYFD has earned respect from other states for coordinating and collaborating well around adoption issues. Reviewers noted successful transition plans from NM foster parents to out of State relatives. Additional strengths noted from case reviews and interviews included:

- ◆ Stakeholders agreed that CYFD is successfully matching children with families.
- ◆ A Permanency Plan of adoption was developed early in many cases.
- ◆ New Mexico has good coordination with other States to process adoptions.
- ◆ Reviewers found that the Termination of Parental Rights (TPR) was handled in a timely manner in most cases.
- ◆ Evidence that CYFD is doing successful adoption promotion with the Foster-a-Future campaign, their web-site, Wednesday's Child, and the Heart Gallery.

**Areas Needing Improvement:** Adoption was rated as an area needing improvement based on the statewide aggregate data and on some additional concerns that were identified. During the attempts to obtain accurate data regarding the national standard for length of time to adoption, the State's AFCARS foster care data (discharges to adoption) were found to be an undercount as compared to the State's AFCARS adoption submissions (this concern is also addressed under item 24 pertaining to the statewide information system). Another concern was noted about the timeframe needed for approving the termination of parental rights (TPRs) in substance abuse related cases. In some of the cases reviewed, the agency recommended TPR but the court felt more time was needed prior to approving TPR. According to stakeholders interviewed, the lack of Native American foster and adoptive homes is a concern. The lengthy ICPC process was noted by many Stakeholders as a barrier to achieving timely adoptions across State boundaries. Stakeholders expressed confusion and concern around determining adoption incentives. Basically, in cases involving children who are in therapeutic foster care (TFC), the low dollar amount of the adoption subsidy was seen as a financial disincentive to the foster parents adopting the children. Three stakeholders mentioned concerns that time frames for completing home studies were too long. Another stakeholder concern was around the area of negotiating adoption subsidies and how complex and biased they can be based on a family's ability to afford strong legal representation.

**Item 10. Permanency goal of other planned permanent living arrangement**

**\_\_X\_\_ Strength           Area Needing Improvement**

Basis:

Statewide Assessment:

According to the statewide assessment, other planned permanent living arrangement is considered an undesirable permanency goal for a child, and is used only when appropriate. New Mexico is monitoring what appears to be a recent increase in the use of this plan as a child's goal. This increase may be due to relative foster parents wishing to continue to provide care, but not wishing to adopt. Other possible reasons are that adoption subsidies are less than TFC payments and the changes in policies regarding emancipation. New Mexico policy (8.10.8.B5) states “this permanency goal is to establish a court sanctioned arrangement to provide physical and emotional permanency for a child when the court determines that this is the most appropriate permanency plan for the child after considering reunification, adoption, and permanent guardianship.” New Mexico has also recently implemented the Title IV-E subsidy guardianship program for children whose permanency goal is permanent guardianship. Long term foster care (LTFC) is one of the least utilized permanency plans as noted in the 1999 Cohort group which had no child with LTFC as the permanency goal. However, following a policy change that discontinued emancipation of children under age 15 as a permanency planning goal in late 1999, the number of children with LTFC as a goal has increased.

On-Site Review:

The determination that permanency goal of other planned permanent living arrangement was a strength was based on information obtained during the onsite review process through the review of 3 applicable case records and stakeholder interviews. This item was rated a strength in all three of the applicable cases.

**Strengths:** The topic of permanency goals of other planned permanent living arrangement was rated as an area of strength for New Mexico based on the cases reviewed and interviews conducted. Reasons for the strength rating included:

- ◆ In all three of the applicable cases reviewed, goals were very carefully considered, discussed and used appropriately.
- ◆ Reviewers found youth actively involved in goal setting and case planning.

- ◆ Other permanency goals and options were considered prior to emancipation in many cases.

**Areas Needing Improvement:** None

**Rating for Permanency Outcome 1:** This outcome was determined not to be in substantial conformity due to the State not meeting the national standard for length of time to adoption, and to 86% of the cases reviewed onsite being rated as substantially achieved.

<b>Outcome P2: The continuity of family relationships and connections is preserved for children.</b>					
<b>Number of cases reviewed by the team according to degree of outcome achievement:</b>					
	Team 1	Team 2	Team 3	Total Number	Total Percentage
Substantially Achieved:	11	5	7	23	79 %
Partially Achieved:	1	1	3	5	17 %
Not Achieved or Addressed:	0	1	0	1	4 %
Not Applicable:	14	5	2	21	

#### **Item 11. Proximity of foster care placement**

  X   Strength           Area Needing Improvement

Basis:

##### Statewide Assessment:

New Mexico policy (PR 8.10.8.11) defines close proximity as “a location physically close enough to facilitate family visiting, consistent with the best interest and special needs of the child.” The policy provides that if another more distant placement better meet the child’s needs, a justification or explanation should be noted in the case record. In those instances “the social worker maintains monthly contact with the child, including quarterly personal visits.” When it is determined that the best interests of the child are served by a placement that is not in close proximity to the family, the worker is required to document the rationale. The State conducted a review of service plans for out of

home placements in November 2000 for the period of 7/1/00 through 9/30/00, and determined that 72.3% of children were placed in close proximity to their parents.

On-Site Review:

The determination that proximity of foster care placements was a strength was based on information obtained during the onsite review process through the review of 29 applicable case records and stakeholder interviews. This item was rated a strength in 97% of the applicable cases.

**Strengths:** Workers and families agreed that in most cases, children are placed in close proximity to their parents and within their own communities, with very few exceptions. In those few cases, where a child had to be placed farther away, reviewers found evidence of telephone calls, letters, cards, email and other means of communication being used frequently to enhance a family's ability to stay in contact. In spite of a lack of placement resources, two stakeholders described how the agency made attempts and was able to place children in close proximity to their families.

**Areas Needing Improvement:** Although this item was rated a strength, stakeholders reported a concern that the lack of residential treatment facilities resulted in children, particularly adolescents, needing to be placed outside of their communities.

**Item 12. Placement with siblings**

\_\_X\_\_ Strength           Area Needing Improvement

Basis:

Statewide Assessment:

New Mexico State policy regarding placement with siblings is stated in PR 8.10.8.11. It states that if members of a sibling group must be placed separately, the social worker should document in the case record the efforts to place children together and why the children had to be placed separately. A visitation and communication plan is written describing how contact between/among siblings is accomplished. Frequency of visits or communication between siblings in the custody of the department, unless clinically contraindicated, should be no less than once per month.



On-Site Review:

The determination that placement with siblings was a strength was based on information obtained during the onsite review process through the review of 22 applicable case records and stakeholder interviews. This item was rated a strength in 100% of the applicable cases.

**Strengths:** In the cases reviewed, a clear rationale was given in cases where siblings were not able to stay together. When siblings were separated, it was based on the special needs of the child(ren) and these situations were thoroughly documented by the workers. Stakeholders also agree that NM makes efforts to keep sibling groups together whenever possible, to ensure regular visits with siblings, and to consistently revisit the decision to separate sibling groups.

**Areas Needing Improvement:** None

**Item 13. Visiting with parents and siblings in foster care**

**\_\_\_ Strength    \_\_X\_\_ Area Needing Improvement**

Basis:

Statewide Assessment:

NM uses Foster Parent Liaisons to assist with visitation of parents and siblings in foster care. Foster Parent Liaison positions exist in 18 county offices around the state. The liaisons meet with foster parents to resolve problems or issues between the foster parents, children and the social workers. They may also assist with respite care arrangements, and with special events for foster children in the county. Foster parent liaisons gather information on frequency of visits or communication between siblings in the custody of the department. The SWA team sub-group on permanency indicated that children and families should visit in person more often than they do and that agency policy should be more specific in this area.

On-Site Review:

The determination that visiting with parents and siblings in foster care was an area needing improvement was based on

information obtained during the onsite review process through the review of 24 applicable case records and stakeholder interviews. This item was rated a strength in 79% of the applicable cases.

**Strengths:** The issue of visiting with parents and siblings in foster care was rated as an area needing improvement based on the information obtained from the review of cases and the interviews conducted. However, in a number of the cases reviewed, strengths were found. An example of one such strength is the agency arranging family visits in parks and other family-friendly settings. The findings of the review indicate that NM utilizes community service aides to assist with visitation and this is one strategy CYFD employs to address high vacancy rates.

**Areas Needing Improvement:** This item was rated an area needing improvement in five of the 24 applicable cases. Concerns identified included:

- ◆ Stakeholders indicated concerns about the agency's lack of encouragement for visits of children with incarcerated parents.
- ◆ The findings of the review indicate that the agency could strengthen efforts to encourage foster parent and biological parent interaction regarding visitation issues.
- ◆ Based on some of the case records, the visitation plan was not implemented.
- ◆ Reviewers noted a lack of visitation in therapeutic foster care cases.

#### **Item 14. Preserving connections**

\_\_X\_\_ Strength           Area Needing Improvement

Basis:

##### Statewide Assessment:

Placement Review Teams are used to preserve connections and improve relationships. They are ad hoc teams consisting of the client family, community agency staff, and CYFD staff. They meet to develop a safety plan for children. The Team's goal is to help the child remain at home while services are provided; 45 community agencies have agreements to participate and 58 team meetings were held from 7/1/00 to 6/30/01. The Valencia County office developed a resource library with video tapes, printed material, and interactive computer programs to improve visits and to preserve connections for client families. New Mexico makes diligent efforts to reunify the majority of children

who enter foster care. CYFD, however, feels that high vacancy rates affect continuity of service and preserving connections for families.

A large part of NM's population is Native American/Indian. To help preserve connections for Indian children, New Mexico has specific policy under PR 8.10.8.12 that places an Indian child in substitute care consistent with the ICWA unless a specific tribe designates otherwise. For example, first priority is given to a “member of the Indian child’s extended family.” The order of preference includes the following: “a foster home licensed, approved or specified by the Indian child’s tribe, an Indian foster home licensed or approved by a non-Indian licensing authority, or an institution approved by an Indian tribe or operated by an Indian organization which has a program suitable to meet the Indian child’s needs.” PR 8.10.7.26 policy addresses Indian Child Welfare Act notice requirements.

On-Site Review:

The determination that preserving connections was a strength was based on information obtained during the onsite review process through the review of 29 applicable case records and stakeholder interviews. This item was rated a strength in 90% of the applicable cases.

**Strengths:** In New Mexico it is clear that strong connections to family, culture and community are important and encouraged. Efforts were seen by the agency to maintain extended family contacts and relationships in 24 of the 29 cases. Relative (biological) and kinship (close, family-like) relationships were encouraged and supported in most cases through thoughtful placement and frequent visitation. Stakeholders reported positive relationships between specific tribal social services and local CYFD offices. Stakeholders said that the State notifies the tribe timely in most cases when an Indian child is brought into custody. During the on-site portion of the review, it was found that the State and Tribes collaborate successfully in most cases that involve Native American children to try to preserve culture, language and community connections.

**Areas Needing Improvement:** Although this was rated as an area of strength, some concerns were identified: Some half-sibling and other relative connections are not actively preserved. CYFD may need to look beyond the traditional family to preserve as many connections as possible for each child. In two of the cases reviewed, preserving connections was rated as an area needing improvement. In one case, no efforts were made by the state to preserve a connection with a half-siblings.

**Item 15. Relative placement**

\_\_X\_\_ Strength        Area Needing Improvement

Basis:

Statewide Assessment:

NM is successfully placing children with relatives. . However, one concern noted is that some relative foster parents may not want to permanently adopt a child, but do want to continue to provide care. NM held a practice review from 1/1/01-3/31/01 in the 3 sites, and found that relative placement was rated as a strength in 82.86% of the cases reviewed and 17% were rated as “needing improvement”. The SWA Team focus group felt that there was not enough focus on relatives as resources and more can be done to help relatives and extended family members play an active role. Agency policy regarding relative placement says “the department gives preference to relatives over non-relatives when determining placement for a child provided they meet the licensing requirements for foster care. Foster care licensure and relative placement may be considered for documented god parents or relatives within the 5<sup>th</sup> degree of consanguinity to provide foster care in the most family-like setting that is safe, least restrictive, in close proximity, and provides sibling continuity.” (PR 8.27.2.24)

On-Site Review:

The determination that relative placement was a strength was based on information obtained during the onsite review process through the review of 29 applicable case records and stakeholder interviews. This item was rated a strength in 90% of the applicable cases.

**Strengths:** Stakeholders indicated that the agency diligently explores relative options. Most of the cases reviewed indicated numerous efforts were made by the agency to contact extended family to pursue placement options. Reviewers indicated that, in general, relatives who were ruled out, were ruled out appropriately by the agency. Stakeholders report that courts in NM also inquire regarding any other relatives to be considered. Many cases showed documented use of relatives that ultimately resulted in adoption. The agency’s priority for placement with relatives was supported by the case review.

**Areas Needing Improvement:** None.

**Item 16. Relationship of child in care with parents**

\_\_\_\_ **Strength**    \_\_X\_\_ **Area Needing Improvement**

Basis:

Statewide Assessment:

In a practice review NM found this Item (#16) to be rated 70.83 % of the time as a “strength”, and 29.17% of the time as an “area needing improvement”. In 31.43% of the cases this item was rated as not applicable. Again social worker turnover and vacancy rates may be a factor, because staff have less time to devote to transporting clients and supervising visitation. Also the prevalence of substance abuse by parents may be another factor influencing the relationships of children in care with their parents.

On-Site Review:

The determination that relationship of child in care with parents was an area needing improvement was based on information obtained during the onsite review process through the review of 21 applicable case records and stakeholder interviews. This item was rated a strength in 71% of the applicable cases.

**Strengths:** Although this item was found to be an area needing improvement, there were strengths found in terms of relationships of children in care with their parents. Reviewers found case documentation that parents and children participate in therapy together. Foster parents were seen as facilitating connections in some cases and Client Service Aides help facilitate visitation. The on-site case review also showed that many out of State cases were effectively addressed and staff worked hard to help families stay in contact.

**Areas Needing Improvement:** The area of relationships of child in care with parents was rated as an area needing improvement because reviewers observed key service needs that were either not assessed or not addressed and these service needs negatively affected the relationship of children in care with their parents. Six of the 25 applicable cases were rated as needing improvement. Stakeholders report that the agency could strengthen efforts to encourage foster parents and CASA volunteers to improve relationships between children in care and their parents.

Stakeholders also noted the need to increase the number of Client Service Aides to help with transportation and visitation. The findings of the review indicate that staff vacancies negatively affect visits with parents as workers have to concentrate on safety issues and they have less time to focus on strengthening family relationships.

**Rating for Permanency Outcome 2:** This outcome was determined not to be in substantial conformity due to 79% of the cases reviewed being rated as substantially achieved.

### III. CHILD AND FAMILY WELL-BEING

<b>Outcome WB1: Families have enhanced capacity to provide for their children's needs.</b>					
Number of cases reviewed by the team according to degree of outcome achievement:					
	Team 1	Team 2	Team 3	Total Number	Total Percentage
Substantially Achieved:	21	8	9	38	76 %
Partially Achieved:	2	2	1	5	10 %
Not Achieved or Addressed:	3	2	2	7	14 %
Not Applicable:	0	0	0	0	

#### Item 17. Needs and services of child, parents, foster parents

\_\_\_\_ Strength      X   Area Needing Improvement

Basis:

#### Statewide Assessment:

NM offers a full range of services to children, parents and foster parents to meet the needs of the State. While services are available to address these needs; improvements could be made through more concurrent planning and involvement of families in the plans to increase the variety and quality of services provided. Foster Parent Liaison positions exist in 18 county offices around the state. The liaisons meet with foster parents to resolve problems between the foster parents and the social workers. They may also issue clothing vouchers, assist with respite care arrangements, and with special events for foster children in the county. The Roosevelt County foster parent liaison gathers donations for

school supplies for foster children. New Mexico has 38 current contracts all over the State that fund services in the areas of family support, midlevel family preservation, time-limited reunification and adoption. Workers may refer children & families to these services. The providers are required to prioritize services to the families. Other services available include: independent living, counseling, foster parent and all types of training, family preservation, adoption and parenting classes just to name a few.

On-Site Review:

The determination that needs and services of child, parents, and foster parents was an area needing improvement was based on information obtained during the onsite review process through the review of 50 applicable case records and stakeholder interviews. This item was rated a strength in 78% of the applicable cases. Among the applicable cases reviewed, 29 were cases in which children were in foster care and 21 were cases in which services were being provided while the child remained in the home. In 83% of the applicable foster care cases this item was rated as a strength as compared to 71% of the applicable in home cases.

**Strengths:** While this item was rated as an area needing improvement, the review noted the following strengths:

- ◆ Many of the families interviewed describe the relationship with their worker as one of "partnership" and that they felt workers tried to meet their needs.
- ◆ In some of the cases reviewed it appeared that families' needs were appropriately assessed and services were provided to meet those needs.
- ◆ Mid-level family preservation and time-limited reunification services were both identified by stakeholders as programs that are offering effective services.
- ◆ Stakeholders commented that Treatment Foster Care (TFC) services, when available were comprehensive.
- ◆ Families mentioned that consistency with therapists helped in areas of high worker turnover to ensure that their needs were being addressed.

**Areas Needing Improvement:** The area of services to children and families was rated as needing improvement based on the following findings:

- ◆ Eleven of the 50 cases reviewed were rated as needing improvement on this item.
- ◆ In a number of cases reviewed key service needs were either not assessed accurately or were not addressed

sufficiently.

- ◆ In most cases there was inadequate monitoring and follow up for parental compliance.

Many on-going needs of families are not being adequately addressed, such as:

- ◆ There was a lack of consistency in providing after care services. In some cases, after care services intensified, but in most they declined.
- ◆ In cases reviewed there were situations where initial assessments were found to be inaccurate or lacking adequate depth.
- ◆ Recurrence of substance abuse issues was not followed up on and was described as a major problem across the State, according to reviewers and stakeholders.
- ◆ Incidents of sexual abuse and domestic violence were noted as not being followed up on also.
- ◆ Stakeholders agreed that domestic violence concerns are not adequately addressed and that there are not enough services provided to these families Statewide.

#### **Item 18. Child and family involvement in case planning**

       Strength                        X   Area Needing Improvement

Basis:

##### Statewide Assessment:

The department is specifically developing and implementing a process to increase the participation of youth in all aspects of case planning. NM identified some issues in the SWA under this area as needing further examination during the on-site review, such as whether case plans identify and address children's specific health and mental health needs, and how the current availability of providers affects case planning and the provision of services.

##### On-Site Review:

The determination that child and family involvement in case planning was an area needing improvement was based on information obtained during the onsite review process through the review of 50 applicable case records and stakeholder interviews. This item was rated a strength in 80% of the applicable cases. Among the applicable cases reviewed, 29 were cases in which children were in foster care and 21 were cases in which services were being provided while the child remained in the home. In 83% of the applicable foster care cases this item was rated as a



strength as compared to 76% of the applicable in home cases.

**Strengths:** Although this item was rated as an area needing improvement, some strengths were identified. Child and parent involvement in case planning was apparent in many of the cases. In a few cases reviewers were learned about social workers sitting around a table with a family and all of them developing the plan together.

**Areas Needing Improvement:** This item was rated as needing improvement because of the following:

- ◆ In a number of cases reviewed, children and parents were not actively involved in case planning.
- ◆ Parents, children and significant parties were not encouraged to get actively involved and engaged in the planning, but were just invited to participate.
- ◆ Some providers and other interested parties were not encouraged to join in on case planning.
- ◆ Stakeholders indicated that they were not active participants in service plans.
- ◆ Reviewers saw a lack of involvement of some age appropriate teens (including teen parents) in goal setting and planning.

#### **Item 19. Worker visits with child**

       Strength      X   Area Needing Improvement

Basis:

##### Statewide Assessment:

NM CYFD staff realize that worker visits with the child are key to safety. They are required monthly by policy, either in person or not. The SWA Team focus group on safety felt that "face-to-face" visits in person should be required monthly. However, the department's capacity to provide these services is affected by its ability to recruit and retain staff. In PR 8.10.8.20, New Mexico policy, it states: "contacts with the child requirements are as follows: "To determine safety and provide for the other needs of the child at home or in an out-of-home placement, the social worker maintains monthly contact with the child and documents the contact in the case activity notes."

##### On-Site Review:

The determination that worker visits with child was an area needing improvement was based on information obtained

during the onsite review process through the review of 50 applicable case records and stakeholder interviews. This item was rated a strength in 78% of the applicable cases. Among the applicable cases reviewed, 29 were cases in which children were in foster care and 21 were cases in which services were being provided while the child remained in the home. In 79% of the applicable foster care cases this item was rated as a strength as compared to 76% of the applicable in home cases.

**Strengths:** Although worker visits with child was rated as an area needing improvement, strengths were noted in a number of cases. The main strength observed involved instances when visits actually occur more often than the required once per month. Reviewers found examples of very frequent contact and visits between workers and the children they serve. It was noted by stakeholders that new workers have been observed taking time to establish rapport and develop working relationships with assigned children. Stakeholders added that attorneys also play active and stable roles in children's lives, especially during times of high worker turnover.

**Areas Needing Improvement:** The rating of ANI for worker visits with child was based on the following:

- ◆ In eleven of the fifty cases this item was rated as an area needing improvement.
- ◆ Stakeholders echoed the State's concern that worker turnover and staff vacancy rates play a key role in the frequency and depth of visits.
- ◆ Interviews found some confusion about the role of CYFD in managing TFC cases, which are contracted out.
- ◆ It seems some providers do good work, but the agency does not get enough feedback nor do they follow up on what the service providers are doing and what occurs during the visits with the children.
- ◆ Reviewers had questions about the content and quality of some meetings between workers and children. There were instances of inadequate documentation in the case notes, describing conversations and meetings.

#### **Item 20. Worker visits with parents**

\_\_\_\_ Strength      X   Area Needing Improvement

Basis:

Statewide Assessment: None

On-Site Review:

The determination that worker visits with parents was an area needing improvement was based on information obtained during the onsite review process through the review of 43 applicable case records and stakeholder interviews. This item was rated a strength in 81% of the applicable cases. Among the applicable cases reviewed, 22 were cases in which children were in foster care and 21 were cases in which services were being provided while the child remained in the home. In 77% of the applicable foster care cases this item was rated as a strength as compared to 86% of the applicable in home cases.

**Strengths:** Although the area of worker visits with parents was rated as needing improvement, the following strengths were found:

- ◆ In 35 of the 43 applicable foster care and in-home cases reviewed, this area was seen as a “strength”.
- ◆ The frequent number of staffings that are held was seen as a strong point to maintaining contact with families.
- ◆ Interviews indicated FPS workers try to be flexible with parents and their schedules.
- ◆ Social workers are building relationships with parents.

**Areas Needing Improvement:** Worker visits with parents was rated as an area needing improvement, because:

- ◆ In 8 of the 43 applicable cases this item was rated as an area needing improvement.
- ◆ Reviewers noted NM’s lack of a written policy regarding worker visits with parents.
- ◆ Reviewers noted instances when workers did not focus on developing relationships with parents and documenting what is discussed in conversations and meetings with the parents.
- ◆ Stakeholders report that CYFD does not make enough concentrated efforts to engage/involve fathers in visits and case activities.
- ◆ Not enough contact was made with incarcerated parents, according to reviewers.

**Rating for Well-Being Outcome 1:** This outcome was determined to be not in substantial conformity due to 74% of the cases reviewed being rated substantially achieved.

<b>Outcome WB2: Children receive appropriate services to meet their educational needs.</b>					
Number of cases reviewed by the team according to degree of outcome achievement:					
	Team 1	Team 2	Team 3	Total Number	Total Percentage
Substantially Achieved:	21	7	9	37	82 %
Partially Achieved:	2	2	1	5	11 %
Not Achieved or Addressed:	1	1	1	3	7 %
Not Applicable:	2	2	1	5	

**Item 21. Educational needs of the child**

       Strength      X   Area Needing Improvement

Basis:

Statewide Assessment:

In NM all children in care, who are of age to attend school, should have a written plan that addresses his/her educational goals. Plans are to be reviewed by supervisors to determine whether children have a goal specific to meet their individual educational needs. In the NM SWA a table shows that from 7/1/00 to 9/30/00 an internal review of 355 case files showed that 258 or 83.7% had written educational goals. NM's goal is to reach 90% by June 2002. The department augments casework services to provide services to meet the educational needs of children. New Mexico policy (PR 8.18.8.20) requires that a child who must change schools, should do it no later than 3 days after placement. The social worker immediately arranges to have the school record transferred and provides a copy to the substitute care provider.

On-Site Review:

The determination that the educational needs of the child was an area needing improvement was based on information obtained during the onsite review process through the review of 43 applicable case records and stakeholder interviews. This item was rated a strength in 84% of the applicable cases. Among the applicable cases reviewed, 26 were cases in which children were in foster care and 17 were cases in which services were being provided while the child remained

in the home. This item was rated a strength in 88% of the applicable foster care cases, as compared to 76% of the applicable in home cases.

**Strengths:** Although meeting children's educational needs was judged to be an area needing improvement, the reviewers identified the following strengths:

- ◆ Special education needs and issues were identified and addressed in a number of the cases reviewed.
- ◆ Generally children are able to stay in their current school and very few school changes were noted.
- ◆ Many social workers meet with teachers and school counselors and attend IEP meetings regularly.
- ◆ Foster parents are getting educational needs met by providing tutoring at home and helping workers ensure that children are enrolled in school as soon as possible.

**Areas Needing Improvement:** Despite these strengths, the educational needs of children in NM were found to need improvement based on the following:

- ◆ This item was rated as an ANI in three of the 26 applicable foster care cases, and in four of the seventeen applicable in-home cases.
- ◆ Chronic absenteeism problems were not addressed in some of the cases reviewed.
- ◆ Reviewers noted in some cases a lack of follow up on identified educational needs of children.
- ◆ Incidents of poor or missing documentation of school records, IEP plans, development, conversations with school personnel and children about education were found.
- ◆ There were significant delays noted in needs that were not addressed when children move (transition) into care, especially with children who utilize special education services.
- ◆ There was a lack of assessment noted around early intervention services.

**Rating for Well-Being Outcome 2:** This outcome was determined not to be in substantial conformity due to 83% of the cases reviewed being rated substantially achieved.

<b>Outcome WB3: Children receive adequate services to meet their physical and mental health needs.</b>					
Number of cases reviewed by the team according to degree of outcome achievement:					
	Team 1	Team 2	Team 3	Total Number	Total Percentage
Substantially Achieved:	19	8	9	36	72 %
Partially Achieved:	6	1	2	9	18 %
Not Achieved or Addressed:	1	3	1	5	10 %
Not Applicable:	0	0	0	0	

**Item 22. Physical health of the child**

\_\_\_\_\_ Strength   X   Area Needing Improvement

Basis:

Statewide Assessment:

Each child who comes into care should complete an Early Periodic Screening Diagnostic and Treatment (EPSDT) exam within 30 days and have a medical goal if needed. The NM SWA indicated that 83.7% of the cases NM reviewed internally on 11/1/00 had written medical goals. An issue in NM is the barriers to accessing health care and specifically preventive health care for children in care. New Mexico policy (PR 8.18.8.20) addresses medical services as follows: “Within the first 30 days of custody, each child will have a physical examination. Immunization records are to be kept current. Each child in an out of home placement receives scheduled routine medical, dental, eye and psychological care “as needed.” The agency’s goal is for children’s service plans to include relevant physical health information.

On-Site Review:

The determination that physical health of the child was an area needing improvement was based on information obtained during the onsite review process through the review of 47 applicable case records and stakeholder interviews. This item was rated a strength in 81% of the applicable cases. Among the applicable cases reviewed, 29 were cases in which children were in foster care and 18 were cases in which services were being provided while the child

remained in the home. In 83% of the applicable foster care cases this item was rated as a strength as compared to 78% of the applicable in home cases.

**Strengths:** Although meeting the physical health of children in NM was found to be an area needing improvement, there were strengths found as well. In 34 of the 47 applicable cases health assessments (EPSDT exams) were conducted on children timely, as they entered foster care. In most cases, interviewees reported that children receive adequate services to meet their identified health needs. According to some foster parents, workers go above and beyond to meet the medical needs of children in some cases. Reviewers were told about speech, occupational and physical therapies being completed and most of the foster parents interviewed reported having copies of medical records. The State reports considering the utilization of medical passports for children, so they can carry their health-related documents and information with them.

**Areas Needing Improvement:** Meeting the child's physical health needs is an area needing improvement based on the following:

- ◆ In nine of the 47 applicable cases reviewers found significant concerns.
- ◆ The most common concern is that there do not seem to be enough dentists in NM who will serve children in CYFD's custody.
- ◆ Stakeholders and case reviews indicate that the need for dental services across the State is a major concern.
- ◆ Medical neglect issues were not fully addressed in two of the cases.
- ◆ Foster parents in one site reported that they do not routinely receive medical records or health information on children in their care.
- ◆ A number of stakeholders expressed concerns about the impact of managed care services on children.
- ◆ Two of the cases reviewed did not have adequate medical information/documentation.

### **Item 23. Mental health of the child**

       **Strength**      X   **Area Needing Improvement**

Basis:

Statewide Assessment:

Meeting the mental health needs of children is addressed in NM policy (PR 8.18.8.20) entitled "Psychological and Treatment Services". It describes that "Psychological Services, including testing and evaluation, may assist the social worker in case planning. Necessary psychological services will be funded by Medicaid, Title XX, or by mental health contractors. The social worker arranges for or provides all indicated treatment and habilitation services for a child in the custody of the department. These services include, but are not limited to: 1) Individual, group, or family counseling, 2) day treatment services, 3) behavior specialist 4) substance abuse treatment, and 5) mentoring.

On-Site Review:

The determination that mental health of the child was an area needing improvement was based on information obtained during the onsite review process through the review of 44 applicable case records and stakeholder interviews. This item was rated a strength in 77% of the applicable cases. Among the applicable cases reviewed, 27 were cases in which children were in foster care and 17 were cases in which services were being provided while the child remained in the home. In 81% of the applicable foster care cases this item was rated as a strength as compared to 71% of the applicable in home cases.

**Strengths:** Although this area was generally viewed as needing improvement, some strengths were identified. In a number of cases, timely mental health assessments were completed. In three of the cases, reviewers noted that play therapy was successfully used to improve the mental health of children in care. In some of the cases foster and adoptive parents were involved in the therapy and it was noted as being effective.

**Areas Needing Improvement:** Children's mental health was rated as an area needing improvement, based on information from both in-home and foster care cases. The lack of mental health resources in the community was identified as affecting the agency's ability to meet the treatment needs of children and families. Stakeholders mentioned specifically that there is a serious lack of psychiatric services in one rural site. Staff turnover in private agencies is a concern just as it is with the State. Vacancies and changes in staff diminish the available resources and negatively affect treatment consistency. One concern that came up repeatedly was the lack of follow up from CYFD in TFC cases. Substance abuse treatment and domestic violence resources and services are lacking across the State.

**Rating for Well-Being Outcome 3:** This outcome was determined not to be in substantial conformity due to 72% of the cases reviewed being rated as substantially achieved.



**IV. STATEWIDE INFORMATION SYSTEM**

Rating of Review Team Regarding Substantial Conformity				
Rating	Not in Substantial Conformity		Substantial Conformity	
	1	2	<u>(3)</u>	4

**Item 24. State is operating a Statewide information system that, at a minimum, can readily identify the status, demographic characteristics, location, and goals for the placement of every child who is (or within the immediately preceding 12 months, has been) in foster care.**

  X   Strength           Area Needing Improvement

Basis:

Statewide Assessment:

The Family Automated Client Tracking System (FACTS) is a statewide client/server information system that provides case management tools for social workers and managers in the program areas of Child and Adult Protective Services, Adoptions, Foster Care, and State Central Intake. The technical infrastructure for FACTS comprises over fifty local area network sites spread over more than 121,000 square miles. These sites are connected to the Department's data center in Albuquerque through a frame-relay wide area network. The client portion of the FACTS application was written in Power Builder and resides on Pentium personal computers. In addition to providing the environment for the client/server application, the FACTS network provides office automation, electronic mail, and file transfer capabilities. FACTS went into operation August 1, 1997, and, after a period of parallel processing, became the system of record for all Protective Services, Child care, and Licensing offices on October 1, 1997. It has now been extended to 26 Juvenile Justice sites. Technical assistance with hardware and software has been performed by the Department's Bureau of Information Technology (BIT). Today, approximately 800 PSD users in more than 35 offices are using FACTS. The system helps staff handle nearly 30,000 child abuse/neglect and 4,000 adult abuse/neglect referrals annually. FACTS manages approximately 9,000 child abuse/neglect and 1,200 adult abuse/neglect cases each year. The management of information continues to be a priority for New Mexico. Every social worker has an up-to date

desktop with case management software (FACTS) that enables him/her to manage tasks, automate payments to providers, access structured decision making tools, and receive reminders of upcoming events and due dates. Comprehensive FACTS training is available to all staff. The system now produces reports which track important outcome measures that inform state and county level managers on a continuous basis.

On-Site Review:

**Strengths:** The following strengths were identified regarding the State's statewide information system, FACTS:

- ◆ The statewide information system is in place and is capable of producing the required information on the status and characteristics of children in foster care.
- ◆ All CYFD staff members have access to the FACTS system and most perceive it as helpful to them in managing cases (particularly with obtaining family information).
- ◆ Agency staff described FACTS as continually improving and that technical assistance, including the Help Desk, are available to assist them.
- ◆ Agency staff felt that the system increased accountability.
- ◆ New employee and on-going training on the FACTS system is offered.
- ◆ Stakeholders and staff agree that the quality and accuracy of data reports have improved since implementation.
- ◆ Automatic payments, letters, etc. are completed in a more timely manner, than before FACTS was in place.
- ◆ It is easier and faster to obtain demographics and information on families using the system.
- ◆ The FACTS system is designed to interface with other offices, including Prevention & Intervention and the Juvenile Justice systems to share information and improve services.

**Areas Needing Improvement:** Concerns regarding the systemic factor regarding statewide information system include:

- ◆ While NM's information system is capable of capturing information relative to the status of children in foster care, the State's submission to AFCARS is historically inaccurate, because no child records in the AFCARS submissions have a date of entry prior to 1997, the year the State converted to FACTS. AFCARS is the required source of data for the CFS Reviews in every year beyond the initial review. Therefore, the State must correct the system's inability to report historically accurate data to AFCARS as we will not accept an

alternate source of data for the foster care data indicators in subsequent reviews.

- ◆ During attempts to obtain accurate data regarding the national standard for length of time to adoption, inconsistencies were discovered between the State's AFCARS foster care data (discharges to adoption) and the State's AFCARS adoption submissions.
- ◆ FACTS is not consistently available and accessible during the evenings and weekends.
- ◆ Stakeholders found the automated court reports inflexible with respect to individualizing the plan to a particular child or family, and therefore neither helpful nor user friendly.
- ◆ Some internal stakeholders do not find the system supportive of their work.
- ◆ Stakeholders reported that FPS information is not documented in FACTS.

**Rating for Statewide Information System:** This systemic factor was determined to be in substantial conformity, as the requirements were in place, and no more than one was not functioning as required.

## V. CASE REVIEW SYSTEM

Rating of Review Team Regarding Substantial Conformity				
		Not in Substantial Conformity		Substantial Conformity
Rating	1	2	<u>(3)</u>	4

**Item 25. Provides a process that ensures that each child has a written case plan to be developed jointly with the child's parent(s) that includes the required provisions.**

  X   Strength        Area Needing Improvement

Basis:

Statewide Assessment:

CYFD policy requires that children in foster care have written case plans, most of which are developed in a timely manner. Policy requires the Assessment Plan to be developed within ten days of the child's entering care, the Initial

Treatment Plan to be developed prior to the Adjudicatory Hearing (or within 60 days), and that the treatment plan be updated at least every six months. Data was presented in the SWA indicating that staff is paying more attention to the timely completion of initial treatment plans. A review also indicated that written service plans did contain seven required elements in approximately 90 % of the cases reviewed. New Mexico policy requires that the Assessment Plan be developed before the 10-day custody hearing. Heavy case loads, due to vacancy rates may affect the ability of staff to complete case plans timely. The data indicate that the initial treatment plan is focused and specific, but as time goes on, workers do not update plans with specific goals or targets to address the family's needs. The Judicial process provides parents the opportunity to be heard and to participate in developing the child's case plan. NM policy requires parents be invited to the Assessment Planning Conference.

On-Site Review:

**Strengths:** This indicator was rated as a strength for the State based on the following information:

- ◆ Reviewers found that case plans were routinely developed, signed by parents and entered into the file.
- ◆ The reviewers also indicated that most case plans are appropriate, clear and easy to read.
- ◆ There is a specific space in each plan for noting any children's/parents' issues to ensure that the parents have an opportunity to add anything else to the plan.

**Areas Needing Improvement:** Even though this item was rated as a strength, there were stakeholders who expressed concerns that parents only sign case plans and that parents and providers are not routinely included and have little input in case consultations (CPS Consultant staffings). This lack of active involvement could be contributing to the States' not meeting the permanency goals. Stakeholders report that there are instances when parents, children, when appropriate, and other relevant parties are not as actively involved in case planning as they could be. Stakeholders also noted that the quality of plans varies widely and other stakeholders described seeing "cookie cutter" plans.

**Item 26. Provides a process for the periodic review of the status of each child, no less frequently than once every 6 months, either by a court or by administrative review.**

  X   Strength         Area Needing Improvement

Basis:

Statewide Assessment:

New Mexico has a three tier review process: judicial, external and internal. At least 4 court hearings are held in the first twelve months that the child is in custody. From 1997 through 2000, the Department experienced the successful passage of legislation that resulted in changes in law to expedite permanency for children. Changes in judicial time frames, the establishment of a permanency hearing and the consolidation of hearings, administrative reviews and conferences assisted the Department in achieving permanency for children more quickly. The changes in the Children's Code have resulted in corresponding changes in Department policies and procedures and use of Department resources. These changes in judicial time frames are consistent with the requirements of the Adoption and Safe Families Act of 1997.

On-Site Review:

**Strengths:** The area of periodic reviews was rated as a strength because the findings of the review indicate that periodic reviews are held consistently every 6 months (or more often) as required. The Citizens Review Board (CRB) hearings are routinely completed on time. Court stakeholders interviewed agreed that CYFD staff members are generally well prepared for hearings and reviews. CASA reports are submitted for the court's consideration. Hearings and reviews are attended by agency staff, parents, foster parents, GALs, respondent attorneys, and on occasion, service providers and children, if age appropriate.

**Areas Needing Improvement:** Even though this item was rated as a strength, one area of improvement identified through the stakeholder interview process involves the increased utilization of mediation services in order to assist in resolving discrepancies/disagreements that might arise between the CRB and the agency.

**Item 27. Provides a process that ensures that each child in foster care under the supervision of the State has a permanency hearing in a qualified court or administrative body no later than 12 months from the date the child entered foster care and no less frequently than every 12 months thereafter.**

  X   Strength           Area Needing Improvement

Basis:

Statewide Assessment:

In New Mexico hearings are held regularly while a child is in custody. Since the change in the law (ASFA) to expedite permanency for children, the regularity and frequency of hearings have improved. The establishment of a permanency hearing and the consolidation of hearings, administrative reviews and conferences have assisted the Department in safely achieving permanency for children in a more timely manner. The changes in the Children's Code have resulted in corresponding changes in Department policies and procedures and use of Department resources. These changes in judicial time frames are consistent with the requirements of the Adoption and Safe Families Act of 1997. The Court Improvement Project (CIP) found that in 80 % of the cases hearings were held according to ASFA time lines.

On-Site Review:

**Strengths:** The area of permanency hearings was found to be a major strength for CYFD by most of the stakeholders interviewed. These stakeholders reported that permanency hearings are held in a timely manner, and that they are substantive. NM stakeholders are informed and aware of ASFA timeframes. In one stakeholder interview new funding for GALs was described, which has resulted in improved representation for the children. The consensus was that permanency hearings are happening in appropriate timeframes and even often more frequently, as needed.

**Areas Needing Improvement:** None

**Item 28. Provides a process for termination of parental rights proceedings in accordance with the provisions of the Adoption and Safe Families Act.**

\_\_X\_\_ Strength           Area Needing Improvement

Basis:

Statewide Assessment:

ASFA requires that a Termination of Parental Rights (TPR) motion be filed within 90 days of a child's plan being changed to adoption and within 60 days of finding that a child is an abandoned infant. According to the SWA NM is in 100% compliance with the requirement that a petition be filed within 60 days of a finding that no reasonable efforts are required. The system has been established to be compliant with the ASFA requirement of filing within 15 of 22 months, absent compelling reasons. New Mexico is in compliance, however according to the SWA, the State is less

clear whether compelling reasons have been documented in the cases where the child remains in care beyond the 15 of 22 months NM established statutory compelling reasons in 2001. Prior to this, examples established by the ABA were used.

On-Site Review:

**Strengths:** The area of termination of parental rights was rated a strength for the State based on the following findings of the on-site review process:

- ◆ In most cases reviewed, the TPR proceedings were handled in accordance with ASFA time frames.
- ◆ Stakeholders reported that relinquishment counseling is offered for families who express a need.
- ◆ The TPR process is moving in a timelier manner since the implementation of ASFA, according to stakeholders.
- ◆ Stakeholders reported the possibility of TPR was seen as motivating parents to make changes.
- ◆ Stakeholders described some GALs as being very involved with children and serving as true child advocates.

**Areas Needing Improvement:** Although this item was rated a strength, there were a few concerns raised about TPRs.

- ◆ Stakeholders expressed concern that GAL involvement with children is inconsistent.
- ◆ Stakeholders mentioned a concern about getting court dates/settings in a timely manner.
- ◆ Stakeholders expressed concern that some courts do not address TPR petitions in accordance with ASFA.

**Item 29. Provides a process for foster parents, preadoptive parents, and relative caregivers of children in foster care to be notified of, and have an opportunity to be heard in, any review or hearing held with respect to the child.**

  X   Strength           Area Needing Improvement

Basis:

Statewide Assessment:

Foster Parents are invited and given the opportunity to participate in Citizen Review Board hearings. Parents have the opportunity to participate in all court hearings. At hearings parents often request services for themselves and their

children. While the departmental policy requires that parents be invited to internal review conferences, no data is available on parental attendance. The NM SWA did not address other caregivers attendance or participation in reviews.

On-Site Review:

**Strengths:** The area of parent notification and participation in reviews or hearings was rated a strength for NM during the onsite review. Hearings and reviews are attended by agency staff, foster parents, parents, GALs, respondent attorneys and sometimes by service providers and children, if age appropriate. According to stakeholders, notice of hearings is routinely given to foster parents and they are given an opportunity to be heard.

**Areas Needing Improvement:** None

**Rating for Case Review System:** This systemic factor was determined to be in substantial conformity due to all requirements being in place and functioning as required.

## VI. QUALITY ASSURANCE SYSTEM

Rating of Review Team Regarding Substantial Conformity				
Rating	Not in Substantial Conformity		Substantial Conformity	
	1	2	3	<u>(4)</u>

**Item 30. The State has developed and implemented standards to ensure that children in foster care are provided quality services that protect the safety and health of the children.**

\_\_X\_\_ Strength           Area Needing Improvement

Basis:

Statewide Assessment:

On 7/1/97, the Department revised its standards to ensure that children in foster care are protected. The foster care



standards require State and Federal criminal records checks for all persons applying to become foster parents and a central clearance of the FACTS database for all applicants. They also provide for specific monitoring and support of licensed foster homes. The SWA Team sub-group identified social worker contacts with children in foster care as critical to child safety. The sub-group felt that a child should be visited, in person by the social worker monthly, and that agency policy should be more specific in this area.

On-Site Review:

**Strengths:** The area of standards that ensure that children in foster care are provided quality services was rated as a strength for NM, primarily because the State has developed and implemented standards and adheres to the standards. An example is the SDM tool used in foster care cases to assess safety issues. New Mexico uses a process similar to that of the CFSR in its quality assurance efforts, which is comprehensive in nature. Agency staff conduct annual re-licensing of foster family homes. The State has a single set of licensing standards to follow and one stakeholder reported that the leadership of the county office manager sets the tone for high standards and quality services. Another item that may help ensure children in care get quality services to protect their safety and health is that the Department is in the process of developing a “traveling file” of medical and educational information on children in care which will follow the child from one placement to another.

**Areas Needing Improvement:** None

**Item 31. The State is operating an identifiable quality assurance system that is in place in the jurisdictions where the services included in the CFSP are provided, evaluates the quality of services, identifies strengths and needs of the service delivery system, provides relevant reports, and evaluates program improvement measures implemented.**

\_\_X\_\_ Strength           Area Needing Improvement

Basis:

Statewide Assessment:

NM has a Quality Assurance Review Team (QART) that reviews sample cases and available data on areas such as timeliness of investigations, foster care re-entries, etc. that closely parallel the Federal CFSR instrument. QART is

comprehensive and will assist county office managers to track important outcome measures on both the state and county level on a continuous basis.

On-Site Review:

**Strengths:** The quality assurance (QA) area was rated as a strength based on the following findings:

- ◆ NM is operating a quality assurance system in jurisdictions where CFSP services are provided.
- ◆ Supervisors are conducting regular conferences/meetings with staff to discuss cases and evaluate services.
- ◆ NM's quality assurance system (QART) is evolving to be outcome focused and modeled after the same format as the Federal CFS reviews to include safety, permanency and well-being.
- ◆ Social workers, supervisors and the social work consultant participate in internal reviews of each child's case every six months.

**Areas Needing Improvement:** Even though QA was rated as an area of strength, there were concerns identified.

- ◆ Aspects of the QA system are still in development while the system is being fully implemented statewide.
- ◆ The findings of the review indicate that workers were not familiar with the current QA system and with who actually reviews cases. Many had not heard of QART and said that it had been over a year since they received any training on quality assurance.
- ◆ Stakeholders report that the sharing of information and results from QA reviews could be strengthened.

**Rating for Quality Assurance:** This systemic factor was determined to be in substantial conformity since State plan requirements for this systemic factor were found to be in place and functioning as required.

**VII. TRAINING**

<b>Rating of Review Team Regarding Substantial Conformity</b>				
<b>Rating</b>	<b>Not in Substantial Conformity</b>		<b>Substantial Conformity</b>	
	1	2	<u>(3)</u>	4

**Item 32. The State is operating a staff development and training program that supports the goals and objectives in the CFSP, addresses services provided under Titles IV-B and IV-E, and provides initial training for all staff who deliver these services.**

  X   Strength         Area Needing Improvement

Basis:

Statewide Assessment:

As required by CYFD policy, all new child welfare staff begin attending CPS Core Training within the first 30 days of hire. CORE presently consists of 105 hours of training, presented in three 35 hours blocks over three weeks. In New Mexico, only *licensed* social workers are hired in the Protective Services Division. These licensed social workers conduct assessments, investigate reports, and to provide permanency planning services to families and children. NM's CORE training provides hands on legal exercises, an overview of FACTS, the NM Children's Code, and field-based training. One of the areas the Focus Group on Training identified was the need for more field-based training. CYFD has entered into Title IV-E agreements with three of New Mexico's universities to provide staff development and educational opportunities for CYFD staff. Specifically these agreements offer stipends to students who will work for CYFD upon graduation. The universities partner with the State to provide training and staff development.

On-Site Review:

**Strengths:** This item was rated as a strength, because NM operates a staff development and training program which supports the goals and objectives of their CFSP. Some of the specific areas of strength found were:

- ◆ Stakeholder interviews confirm that newly hired staff members attend the pre-service (CORE) training for 3 weeks within 30 days of being hired.

- ◆ Stakeholders report CORE includes training in legal issues, which receives high marks from staff and attorneys.
- ◆ CYFD is making an effort to collaborate with community partners such as the universities around training.
- ◆ Stakeholders report that due to the State being required to hire licensed social workers most CYFD staff members have a knowledge and skill base at the point of beginning employment.

**Areas Needing Improvement:** Despite the fact that the area of staff development and training was rated as a strength, CYFD is aware that their CORE training needs to be revised and updated. Individuals with both BSW and MSW degrees all receive the same training, even though they may have different staff development needs. External stakeholders expressed a need for the agency to hire people with balanced life experiences, instead of solely hiring new social workers who are just completing college with very little experience. Stakeholders report workers need more fieldwork practice and more comprehensive initial FACTS training. Stakeholders expressed the concern that training was "uneven" and needs to be "re-vamped" and updated. More "hands on" mentoring of new staff may be needed.

**Item 33. The State provides for ongoing training for staff that addresses the skills and knowledge base needed to carry out their duties with regard to the services included in the CFSP.**

\_\_X\_\_ Strength           Area Needing Improvement

Basis:

Statewide Assessment:

The department is establishing a process to provide regular and ongoing in-service training to staff, including concurrent planning. CYFD has entered into agreements with three of New Mexico's universities to offer training and staff development. Stipends are available to students who will work for CYFD upon graduation. Staff with BSW's for example can go back to school and work toward getting their MSWs. The universities also provide ongoing training & development for CYFD staff. Recruitment and retention of CYFD staff are major concerns in New Mexico. Because they are required to hire only licensed social workers, their pool of potential applicants is limited. Vacancy rates and staff experience levels vary among counties.

On-Site Review:

**Strengths:** Ongoing training for staff was rated as a strength for the State, based on the following observations and information. NM is operating a staff development and training program that supports the goals and objectives in the CFSP. Some of the specific areas of strength identified by stakeholders include the following:

- ◆ NM CYFD utilizes the Federally funded National Resource Centers to provide on-going training and technical assistance.
- ◆ CYFD is collaborating with community partners, including the universities around training issues.
- ◆ Staff is required to continue to complete training to maintain their social work licenses.
- ◆ The Agency provides \$150/year per staff to access training and/or to attend conferences in an area of their own choosing. Many staff members expressed appreciation for CYFD empowering them and permitting them to select their desired areas of training.
- ◆ The Agency sponsors annual mandatory “permanency planning training” for all social work staff and children’s court attorneys.
- ◆ CYFD management discovered a need, based on staff surveys, and is providing training courses for new managers and supervisors as suggested.
- ◆ The findings of the review indicate there is a newly revitalized supervisor association, which provides on-going training and is developing case review tools to improve services.
- ◆ There is evidence of a significant amount of cross training occurring within the community, including The Children’s Law Institute, an excellent collaborative effort between CFYD and the Court Improvement Project (CIP).
- ◆ CYFD had a consultant come in to provide training to all staff in the use of concurrent planning.

**Areas Needing Improvement:** Although ongoing training for staff was an area found to be a strength, there is room for improvement. Stakeholders expressed the concern that training was not always the quality it should be. Other areas of concern were:

- ◆ Stakeholders mentioned the lack of individualized training plans for staff.
- ◆ Staff reported that in-service training should be related to investigations as well as treatment.

**Item 34. The State provides training for current or prospective foster parents, adoptive parents, and staff of State licensed or approved facilities that care for children receiving foster care or adoption assistance under title IV-E that addresses the skills and knowledge base needed to carry out their duties with regard to foster and adopted children.**

**\_\_\_\_\_ Strength    \_\_X\_\_ Area Needing Improvement**

Basis:

Statewide Assessment:

Licensing requirements for foster family homes include personal interviews and training. NM uses the FACES curriculum to train foster and adoptive parents. The initial training is 21 hours and then a minimum of 10 hours annually. Child care institution licensing standards and regulations are established and maintained by CYFD. The Prevention and Intervention Division of the CYFD maintains standards for child care institutions and monitors compliance with those standards. The Department is currently working to make improvements. The Department is establishing a process to provide regular and on-going training on the various standards to all field staff. Department placement social workers and staff of licensed private child placement agencies apply the provisions of the New Mexico Foster Care Licensing Standards throughout their work with foster family homes. Placement social workers review the suitability of every foster home.

On-Site Review:

**Strengths:** Although foster and adoptive caregiver training was rated as an area needing improvement, identified strengths include:

- ◆ The agency uses the FACES training curriculum to prepare foster and adoptive parents.
- ◆ Stakeholders identified a number of on-going training opportunities that were available for caregivers to participate in at no or relatively low costs.
- ◆ The training is available in both English and Spanish.
- ◆ Placement staff described the training as adequate and specialized.

**Areas Needing Improvement:** NM's training for current and prospective foster and adoptive parents was found to be an area needing improvement. CYFD management is aware that the training needs to be updated and is considering looking at other training and curriculum models to better meet the need of caregivers in the State.

Stakeholders reported that foster parents have a need for more ongoing specialized training provided by the agency. Stakeholders reported that foster parent training was not in-depth enough and does not include experienced former and current foster parents who could offer practical advice. Stakeholders also added a concern that the training had been reduced from 24 hours to 10 of pre-service and then foster parents were on their own to obtain additional on-going training. Stakeholders indicate that training is needed on how foster parents should deal with teens with challenging behaviors (with input from teens) is needed. Stakeholders noted that the current training does not include a clear delineation of roles and responsibilities between foster parents and social workers. Based on these findings, this item was rated as an area needing improvement for the State.

**Rating for Training:** This systemic factor was determined to be in substantial conformity, as all of the State plan requirements were in place, and no more than one of the requirements was not functioning as required.

## VIII. SERVICE ARRAY

Rating of Review Team Regarding Substantial Conformity				
Rating	Not in Substantial Conformity		Substantial Conformity	
	1	(2)	3	4

**Item 35. The State has in place an array of services that assess the strengths and needs of children and families and determine other service needs, address the needs of families in addition to individual children in order to create a safe home environment, enable children to remain safely with their parents when reasonable, and help children in foster and adoptive placements achieve permanency.**

       Strength      X   Area Needing Improvement

Basis:

Statewide Assessment:

The service array in child protective services includes intake, investigation and permanency planning. Services are

provided by the social workers in the county-based CYFD-PSD field offices. Offices are located in 32 of the State's 33 counties. The services provided are designed to be available and accessible on a statewide basis.

On-Site Review:

**Strengths:** Although this indicator was rated an area needing improvement, some strengths were identified, as follows. CYFD has \$12 million dollars in community based contracts to address the needs of families and children across the State. The array of services NM has in place to meet the needs of families is extensive. The structured decision making (SDM) tools are helpful in assisting the social workers to accurately assess the strengths and needs of children and families to determine what services may be needed. The SDM tool is a combination of assessment tools, which helps workers assess risk and safety and serves as a guide for workers. According to stakeholders, Family Preservation services are available and are sufficient to meet the demands.

**Areas Needing Improvement:** While the State has an array of services in place consistent with the requirements of this systemic factor, it is insufficient to meet the identified needs. Cases are being referred out to providers and then closed with little or no follow-up services, this may be impacting the safety outcomes. Virtually every stakeholder, both internal and external to the State agency, reported the erosion of the service array in recent years. Stakeholders attributed this phenomenon to the transition to managed care. Stakeholders report the greatest gaps in services include:

- ◆ Mental health, dental and "wrap-around services", especially in rural areas and for the Medicaid eligible population.
- ◆ Substance abuse treatment services for families.
- ◆ Domestic violence counseling and treatment services.
- ◆ Respite care for foster parents was identified as a generalized need across the State.

**Item 36. The services in item 35 are accessible to families and children in all political jurisdictions covered in the State's CFSP.**

\_\_\_\_ Strength      \_\_X\_\_ Area Needing Improvement

Basis:



Statewide Assessment:

Most of the services in child protective services intake, investigation and permanency planning are provided by the social workers in the county-based CYFD-PSD field offices. A separate division of the department provides prevention and intervention services. Many services for families are purchased through contracts with private providers. PSD Offices are located in 32 of the State's 33 counties. The services provided are available and accessible on a statewide basis, but NM has difficulty getting some services provided by contractors out to the rural communities.

On-Site Review:

**Strengths:** The area of accessibility of services to families was rated as an area needing improvement, based on the lack of consistency across the State. There were, however, some areas of strength identified by stakeholders and reviewers.

- ◆ Independent living (IL) services are being provided to youth across the State, and are equally provided to the Spanish-speaking and Native American communities.
- ◆ The statewide centralized intake (SCI) provides intake and referral services to all political jurisdictions covered in the State's CFSP.
- ◆ Adoption and foster care services are provided to all parts of the State.

**Areas Needing Improvement:** Again, while the basic service array is in place, it is insufficient to meet the identified need for the same reasons set forth in Item 35.

**Item 37. The services in item 35 can be individualized to meet the unique needs of children and families served by the agency.**

\_\_X\_\_ Strength           Area Needing Improvement

Basis:

Statewide Assessment:

Services in NM are individualized to the unique populations of the State. New Mexico has a large percentage of Native American and Hispanic residents. During FY 99, 11% of the children in care in New Mexico were Native American. While the State has developed protocols and entered into contracts with some tribes and pueblos, most

cases require extensive communication between tribal & State social workers to work out the best plan for the child.

On-Site Review:

**Strengths:** Despite the reported erosion in services, stakeholders reported and reviewers found evidence of successful efforts to individualize services.

- ◆ Stakeholders indicated that individualized services for Native Americans are being provided to both tribes and pueblos.
- ◆ According to stakeholders, family preservation services (FPS) can be individualized in some ways (either intensive or mid-level) to meet a family's specific needs.
- ◆ Stakeholders report that some mental health providers tailor their services to meet the unique needs of families.
- ◆ Materials are produced in English and Spanish to distribute across the State to meet the unique needs of children and families.
- ◆ Reviewers found evidence in rural areas of the use of nontraditional providers to meet unique service needs.

**Areas Needing Improvement:** Despite creative use of the existing service array, stakeholders report difficulty in meeting unique service needs that are beyond the traditional service need.

**Rating for Service Array:** This systemic factor was determined not to be in substantial conformity, as more than one of the State plan requirements was not functioning as required.

**IX. AGENCY RESPONSIVENESS TO THE COMMUNITY**

Rating of Review Team Regarding Substantial Conformity				
Rating	Not in Substantial Conformity		Substantial Conformity	
	1	2	(3)	4

**Item 38. In implementing the provisions of the CFSP, the State engages in ongoing consultation with tribal representatives, consumers, service providers, foster care providers, the juvenile court, and other public and private child- and family-serving agencies and includes the major concerns of these representatives in the goals and objectives of the CFSP.**

**\_\_X\_\_ Strength           Area Needing Improvement**

Basis:

Statewide Assessment:

The need to increase community collaboration in the CFSP planning process was identified during the State agency's strategic planning process in 1998. CYFD reports that its external community stakeholders acknowledged a marked increase in its outreach and stakeholder participation in agency planning and operations during focus groups held in January and February 2001. Focus group participants indicated a need for more coordinated effort by the divisions (Protective Services Division and Prevention & Intervention) to combine the public input process into planning and operations and to develop more effective partnerships with other state agencies and external agencies.

On-Site Review:

**Strengths:** Stakeholders consistently corroborated the statewide assessment, that there has been significant improvement during the period under review with respect to including community stakeholders in the CFSP planning and implementation process. Reviewers at both the State and local levels were provided examples of ongoing collaboration to extend and improve the delivery of key services such as medical, mental health, education, legal and intervention and prevention of child abuse and neglect. In addition, CYFD provides a forum and funding for current and former foster care youth to provide input. Local reviewers found evidence of effective intergovernmental relationships between CYFD and the Tribes.

**Areas Needing Improvement:** Stakeholders consistently reported that CYFD should continue the strides it has made to involve community level stakeholders and to include those groups, such as the Tribes, Pueblos and foster parents that feel their involvement needs to improve. Reviewers at both the State and local levels consistently heard concerns from external stakeholders regarding the number of child abuse and neglect reports that are screened out. The concerns appear to be the result of a lack of public awareness and hard data to support CYFD's disposition of the

reports in question.

**Item 39. The agency develops, in consultation with these representatives, annual reports of progress and services delivered pursuant to the CFSP.**

☐ Strength ☒ Area Needing Improvement

Basis:

Statewide Assessment:

The State agency holds public hearings on the development of State plans. Notice of public hearings is provided to social service agencies statewide and published in the New Mexico Register. The State agency provided the current CFSP to community service providers and stakeholders for their review and feedback. The information provided shaped the CFSP update submitted by CYFD in June 2001.

On-Site Review:

**Strengths:** Stakeholders corroborated the Statewide Assessment, in that, at a macro level, stakeholders have an opportunity to provide input into evaluating the progress and performance of the agency.

**Areas Needing Improvement:** During the period under review, the State agency was inclusive of stakeholders in the planning and implementation of the CFS Review, it was not to the extent necessary to fully comply with this systemic factor in developing the Annual Progress and Services Report (APSR). Stakeholders consistently reported to State and local reviewers of the need to actively include stakeholders in the evaluation of the State child welfare system.

**Item 40. The State's services under the CFSP are coordinated with services or benefits of other Federal or federally assisted programs serving the same population.**

☒ Strength ☐ Area Needing Improvement

Basis:

Statewide Assessment:

NM's current efforts to improve services statewide include purposeful collaboration with other agencies to direct services toward families and children. CYFD meets with the Human Services Department (the State agency administering Medicaid managed care contracts) to outline the needs of children and families who come to the attention of CYFD. Some focus group members felt that the Department was not effective in coordinating services with other agencies; however they acknowledged that CYFD is effective at coordinating services for families at the county level.

On-Site Review:

**Strengths:** This item was rated a strength, because the NM Protective Services Division is working closely with the Prevention & Intervention Division, Juvenile Justice and other Federally funded programs including: Medicaid, Human Services Department, courts, and other programs that serve the same populations. Local counties are working with the Department of Housing and Urban Development to develop housing opportunities for their clients, especially in the Independent Living (IL) program.

**Areas Needing Improvement:** Even though this item was rated a strength, a few concerns were noted. Stakeholders suggested that CFYD has not worked closely enough with Social Security and disability groups to try to improve services for families with special needs, including shortening the length of the DD waiver waiting list. They also mentioned CYFD should continue to improve coordination with other programs serving the same populations, including DOL, TANF, HUD, School systems, faith-based and community organizations.

**Rating for Agency Responsiveness to the Community:** This systemic factor was determined to be in substantial conformity, as no more than one of the State plan requirements was found not to function as required.

**X. FOSTER AND ADOPTIVE PARENT LICENSING, RECRUITMENT, AND RETENTION**

Rating of Review Team Regarding Substantial Conformity				
Rating	Not in Substantial Conformity		Substantial Conformity	
	1	2	3	(4)

**Item 41. The State has implemented standards for foster family homes and child care institutions which are reasonably in accord with recommended national standards.**

**\_\_X\_\_ Strength         Area Needing Improvement**

Basis:

Statewide Assessment:

New Mexico Foster Care Licensing Standards and CYFD Protective Services Division Policy and Procedures are used to establish and maintain standards for foster family homes. Licensing requirements include criminal background checks, abuse and neglect record checks, safety assessments, references, medical statements, review of the physical standards of the home, verifications (which includes employment, marriage, and divorce), training, and information obtained from personal interviews with applicants. Requirements for adoptive homes are consistent with licensing requirements for foster care and compliant with the provisions of the Adoption and Safe Families Act. Child care institution licensing standards and regulations are established and maintained by CYFD. The Prevention and Intervention Division of the CYFD maintains standards for child care institutions and monitors compliance with those standards. According to the SWA:

- ◆ Foster care licensing standards, adoption regulations, and agency policy are compliant with criminal records check required by ASFA.
- ◆ The Department, through the public hearing process, partners with private agencies and other professionals to develop and promulgate the foster care licensing standards, adoption regulations and child care standards.
- ◆ Licensing Standards, Adoption Regulations and Child Care Institution regulations are available on-line through the State Records Center and Archives.

- ◆ Policy and Procedures Bureau staff members maintain standards and are available to provide technical assistance.

The Department is establishing a process to provide regular and on-going training on the various standards to all field staff. The Department is developing a process to provide for at minimum annual review and revision of licensing standards and regulations. Department placement social workers and staff of licensed private child placement agencies apply the provisions of the New Mexico Foster Care Licensing Standards throughout their work with foster family homes. Placement social workers review the suitability of every foster home licensed by CYFD at least twice a year. In 1999, CYFD licensed 163 new foster homes and 205 new foster homes were approved in 2000. Department Placement social workers and staff of licensed private child placement agencies apply the provisions of the New Mexico Adoption Regulations throughout their work with adoptive family. In 1999, CYFD approved 75 adoptive homes. In 2000, 192 adoptive homes were approved. This number includes 49 adoptive home studies completed by the four contracted adoption agencies and approximately 145 home studies completed by independent home study contractors. The Department monitors foster homes licensed by the Department and conducts monitoring activities involving the private child placement agencies to ensure compliance with national standards. Statewide figures regarding the number of foster homes closed because of failure to meet licensing standards are not available.

On-Site Review:

**Strengths:** This item was rated as a strength based on the fact that the State has implemented standards for foster family homes and child care institutions which are reasonably in accord with recommended national standards.

- ◆ NM is in accordance with national licensing standards.
- ◆ All Stakeholders reported that they are held to agency standards.
- ◆ CYFD is revising child placement licensing standards this year for child placement agencies, with community input.
- ◆ CYFD regularly reviews their policies and procedures on foster and adoptive homes

**Areas Needing Improvement:** None

**Item 42. The standards are applied to all licensed or approved foster family homes or child care institutions receiving title IV-E or IV-B funds.**

X   **Strength**          **Area Needing Improvement**  
**Basis:**

Statewide Assessment:

CYFD establishes and maintains standards for adoptive homes. Licensing requirements for adoptive homes are consistent with licensing requirements for foster care and compliant with the provisions of the Adoption and Safe Families Act. The Prevention and Intervention Division of the CYFD maintains standards for child care institutions and monitors compliance with those standards. The Department, through the public hearing process, partners with private agencies and other professionals to develop and promulgate the foster care licensing standards, adoption regulations and child care standards. Licensing Standards, Adoption Regulations and Child Care Institution regulations are available on-line through the State Records Center and Archives. Policy and Procedures Bureau staff members are available to provide technical assistance. Department Placement social workers and staff of licensed private child placement agencies apply the provisions of the New Mexico Foster Care Licensing Standards throughout their work with foster family homes. Placement social workers review the suitability of every foster home licensed by CYFD at least twice a year. Department Placement social workers and staff of licensed private child placement agencies apply the provisions of the New Mexico Adoption Regulations throughout their work with adoptive family. The Department monitors foster homes licensed by the Department and conducts monitoring activities involving the private child placement agencies to ensure compliance with standards.

On-Site Review:

**Strengths:** This item was rated as a strength, because the standards are applied to all foster family homes and child care institutions. The standards are applied to all licensed or approved foster family homes or child care institutions receiving title IV-E or IV-B funds. There is one single set of standards equally applied for all foster homes statewide in NM.

**Areas Needing Improvement:** None

**Item 43. The State complies with Federal requirements for criminal background clearances as related to licensing or approving foster care and adoptive placements and has in place a case planning process that**



**includes provisions for addressing the safety of foster care and adoptive placements for children.**

**\_\_X\_\_ Strength           Area Needing Improvement**

Basis:

Statewide Assessment:

New Mexico maintains standards for foster family homes and licensing requirements including criminal background checks, abuse and neglect record checks, safety assessments, references, medical statements, review of the physical standards of the home, verifications (which includes employment, marriage, and divorce), training, and information obtained from personal interviews with applicants.

The following areas were identified as strengths by the State:

- ◆ Foster care licensing standards, adoption regulations, and agency policy are compliant with criminal records check required by ASFA.
- ◆ One weakness noted is that the general public may not be aware of the standards and how to access them.
- ◆ The Department is establishing a process to provide regular and on-going training on the various standards to all field staff.
- ◆ The Department is developing a process to provide for at minimum annual review and revision of licensing standards and regulations.
- ◆ Department Placement social workers review the suitability of every foster home licensed by CYFD at least twice a year.

On-Site Review:

**Strengths:** This item was rated a strength because the State complies with Federal requirements for criminal background clearances as related to licensing or approving foster care and adoptive placements. The State also has in place a case planning process that includes provisions for addressing the safety of foster care and adoptive placements for children. CYFD has funded two contract positions to work with the Department of Public Safety to reduce the backlog of cases and has successfully shortened the amount of time it takes to complete the background checks. CYFD will go out to individual foster homes to obtain fingerprints to speed up the process. In border area CYFD uses its relationship with the Mexican Consulate to share information regarding parents and relatives in Mexico.

**Areas Needing Improvement:** Stakeholders report that CYFD staff and Foster parents have identified delays

that exist in the system and PSD is looking into methods to streamline the process to be approved as a foster or adoptive family.

**Item 44. The State has in place a process for ensuring the diligent recruitment of potential foster and adoptive families that reflects the ethnic and racial diversity of children in the State for whom foster and adoptive homes are needed.**

**\_\_X\_\_ Strength         Area Needing Improvement**

Basis:

Statewide Assessment:

The department has several activities to target recruitment of Native American and African American foster care and adoptive families. This includes having agency booths at community fairs, TV commercials, radio ads, focus groups, etc. Last year six focus groups met to identify barriers to adoption, such as the availability of respite care and financial reimbursements. One of the strengths identified is the recent improvement in community collaboration. The department has a toll free number that receives approximately 139 calls per month inquiring about adoption or foster care. Forty children were profiled on Wednesday's Child, which is broadcast on Spanish language channels. There is also a Hispanic adoption support network facilitated by the Adoption Exchange.

On-Site Review:

**Strengths:** Recruitment of foster and adoptive homes was found to be a strength for NM, based on the following information obtained from interviews with stakeholders. The agency has a comprehensive plan to recruit foster and adoptive families that represent the racial and ethnic diversity of the State. Approximately 11 % of the children in care are Native American and approximately 5% are African-American. The majority of children in care in NM are Hispanic. Foster a Future is a unified theme used across the State to recruit foster and adoptive parents. The Office of African American Affairs has been invited to help CYFD with recruitment of Black foster families. CYFD is working with Navajo Social Services to jointly produce a video to increase recruitment of Tribal families. All NM Foster-a-Future materials are produced in English and Spanish. The website is available 24 hours a day, 7 days a week. The Heart Gallery is a very successful program targeting recruitment of foster parents who will foster and adopt teenagers and older children.

**Areas Needing Improvement:** Even though this item was rated as a strength, a concern expressed by CYFD staff was that some foster parents are switching from basic FC to treatment foster care, in which they receive more financial assistance. There are also not sufficient numbers of licensed and available Native American and Hispanic foster family homes.

**Item 45. The State has in place a process for the effective use of cross-jurisdictional resources to facilitate timely adoptive or permanent placements for waiting children.**

  X   Strength           Area Needing Improvement

Basis:

Statewide Assessment:

CYFD has a website that is available nation wide with children who are free for adoption. Adoption resources are shared across State lines. An individual recruitment specialist is assigned to every child with a permanency plan of adoption. CYFD is part of the Adoption Exchange, serving multiple States. NM has identified barriers for children in some parts of the State. Post-adoption services include information and referral, subsidy and family preservation services. The program also includes adult adoptee searches, the review and approval of independent adoptions, the development and maintenance of the list of approved independent home study providers and the licensing of private adoption child placement agencies. Adoption assistance, financial and medical coverage, is available to enable the placement and adoption of children with special needs. The adoption assistance program, including the non-recurring expense program, is funded under Title IV-E and with State funds.

On-Site Review:

**Strengths:** NM has a process in place for inter-jurisdictional adoptions with use of the Interstate Compact (ICPC) to facilitate out-of-state adoptions. NM has a process in place to do local home studies and to match adoptive homes with waiting children. Matching is centralized so there are fewer opportunities for geographic barriers in the State. According to stakeholders, NM has a protocol in place with the government of Mexico to assist in handling border placements effectively. NM works collaboratively and effectively with INS as an important resource in border issues.

**Areas Needing Improvement:** Although this item was found to be an area of strength for NM, stakeholders noted the delays in inter-jurisdictional adoptions created by the Interstate Compact on Placement of Children.

**Rating for Foster and Adoptive Parent Licensing, Recruitment, and Retention:** This systemic factor was determined to be in substantial conformity, as all State plan requirements were in place and functioning as required.

**XI. DETERMINATION OF SUBSTANTIAL CONFORMITY**

For each outcome and systemic factor listed below, mark “Y” where the State is determined to be in substantial conformity and “N” where the State is determined not to be in substantial conformity. For each outcome or systemic factor marked “N,” place a check beside the performance indicator, listed by item number in this form, that has been determined to be an area needing improvement.

**Safety**

\_\_N\_\_ Outcome S1

\_\_√\_\_ Item 1

\_\_√\_\_ Item 2

\_\_Y\_\_ Outcome S2

\_\_\_\_ Item 3

\_\_\_\_ Item 4

**Permanency**

\_\_N\_\_ Outcome P1

\_\_\_\_ Item 5

\_\_\_\_ Item 6

\_\_√\_\_ Item 7

\_\_\_\_ Item 8

\_\_√\_\_ Item 9

\_\_\_\_ Item 10

\_\_N\_\_ Outcome P2

\_\_\_\_ Item 11

\_\_\_\_ Item 12

\_\_√\_\_ Item 13

\_\_\_\_ Item 14

\_\_\_\_ Item 15

\_\_√\_\_ Item 16

**Child and Family Well-Being**

\_\_N\_\_ Outcome WB1

\_\_√\_\_ Item 17

\_\_√\_\_ Item 18

\_\_√\_\_ Item 19

\_\_√\_\_ Item 20

\_\_N\_\_ Outcome WB2

\_\_√\_\_ Item 21

\_\_N\_\_ Outcome WB3

\_\_√\_\_ Item 22

\_\_√\_\_ Item 23

**Systemic Factors**

\_\_Y\_\_ Statewide Information System

\_\_\_\_ Item 24

\_\_Y\_\_ Case Review System

\_\_\_\_ Item 25

\_\_\_\_ Item 26

\_\_\_\_ Item 27

\_\_\_\_ Item 28

\_\_\_\_ Item 29

\_\_Y\_\_ Quality Assurance System

\_\_\_\_ Item 30

\_\_\_\_ Item 31

\_\_Y\_\_ Training

\_\_\_\_ Item 32

\_\_\_\_ Item 33

\_\_\_\_ Item 34

\_\_N\_\_ Service Array

\_\_√\_\_ Item 35

\_\_√\_\_ Item 36

\_\_\_\_ Item 37

\_\_Y\_\_ Agency Responsiveness to the  
Community

\_\_\_\_ Item 38

\_\_\_\_ Item 39

\_\_\_\_ Item 40

\_\_Y\_\_ Foster and Adoptive Parent  
Licensing, Recruitment, and  
Retention

\_\_\_\_ Item 41

\_\_\_\_ Item 42

\_\_\_\_ Item 43

\_\_\_\_ Item 44

\_\_\_\_ Item 45

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## ACRONYMS

ABA - American Bar Association  
ACF - The Administration for Children and Families (An agency of the U.S. Department of Health & Human Services)  
AFCARS - Adoption and Foster Care Analysis and Reporting System  
ASFA - Adoptions and Safe Families Act  
CASA - Court Appointed Special Advocate  
CA/N - Child abuse and/or neglect  
CB - Children's Bureau (An office within the Admin. For Children & Families)  
CFCIP - Chafee Foster Care Independence Program  
CFR - Code of Federal Regulations  
CFSP - The State's Child and Family Service Plan  
CFSR - Child and Family Services Review  
CIP - Court Improvement Project  
CPS - Child Protective Services  
CRB - Citizen's Review Board  
CY - Calendar Year (January 1 - December 31)  
CYFD - The Children, Youth and Families Department of the State of New Mexico  
FACES - The Foster Adoptive Combined Education System  
FACTS - Family Automated Client Tracking System (NM's Statewide Management Information System)  
FFY - Federal Fiscal Year (October 1 - September 30)  
FPS - Family Preservation Services  
GAL - Guardian ad Litem  
ICWA - Indian Child Welfare Act  
IL - Independent Living  
LTFC - Long-term Foster Care  
MIS - Management Information System  
NCANDS - National Child Abuse and Neglect Data System  
NM - The State of New Mexico  
PIP - Program Improvement Plan  
PPLA - Permanent Planned Living Arrangement  
PSD - The Protective Services Division of the NM CYFD

**ACRONYMS (continued)**

QART - NM's Quality Assurance Review Team

QA/QC - Quality Assurance/Quality Control

SACWIS - Statewide Automated Child Welfare Information System

SCI - Statewide Central Intake

SDM - Structured Decision Making Tool

SOC - System of Care

SWA - Statewide Assessment

TFC - Treatment Foster Care

TPR - Termination of Parental Rights

Title IV-E - Title of IV-E of the Federal Social Security Act (42 USC 672-679) is an open-ended entitlement, funded with a combination of Federal and State/Local matching funds

Attachment C – [New Mexico State Response Letter](#)